S5375-1

1982 ANNUAL REPORT

NEW JERSEY JUDICIARY

SEPTEMBER 1, 1981—AUGUST 31, 1982

ADMINISTRATIVE OFFICE OF THE COURTS

Richard J. Hughes Justice Complex • CN-037 • Trenton • New Jersey • 08625

ADMINISTRATIVE OFFICE OF THE COURTS
STATE OF NEW JERSEY

ROBERT D. LIPSCHER
ADMINISTRATIVE DIRECTOR OF THE COURTS

CN 037
TRENTON, NEW JERSEY 08625

To the Honorable Chief Justice
and Justices of the Supreme Court

I am pleased to submit the Annual Report of the Judiciary for the court year 1982. It was a year of continuing public demand for court services met by increased productivity, improved case management and innovations designed to deliver high quality justice to the citizens of New Jersey. For the third consecutive year, New Jersey's upper courts disposed of more cases than were filed -- a record matched by few states.

These pages represent the efforts of 6,000 court workers -- judges, clerks, probation officers, court reporters and others -- in service to the hundreds of thousands of people who appeared before the courts during the year.

Respectfully,

Robert D. Lipscher

Robert D. Lipscher

TABLE OF CONTENTS

NEW JERSEY COURT SYSTEM CHART 1

OVERVIEW 3

FOCUS 15

SUPREME COURT COMMITTEE HIGHLIGHTS 22

APPELLATE COURTS 33

- Supreme Court 33
- Superior Court - Appellate Division 39

TRIAL COURTS of General Jurisdiction 43

- Superior Court - Law Division - Civil 43
- Superior Court - Law Division - Criminal 45
- Superior Court - Chancery Division - General Equity 48
- Superior Court - Chancery Division - Matrimonial 50

TRIAL COURTS of Limited Jurisdiction 52

- Juvenile and Domestic Relations Court 52
- County District Court 54
- Tax Court 56

PROBATION 62

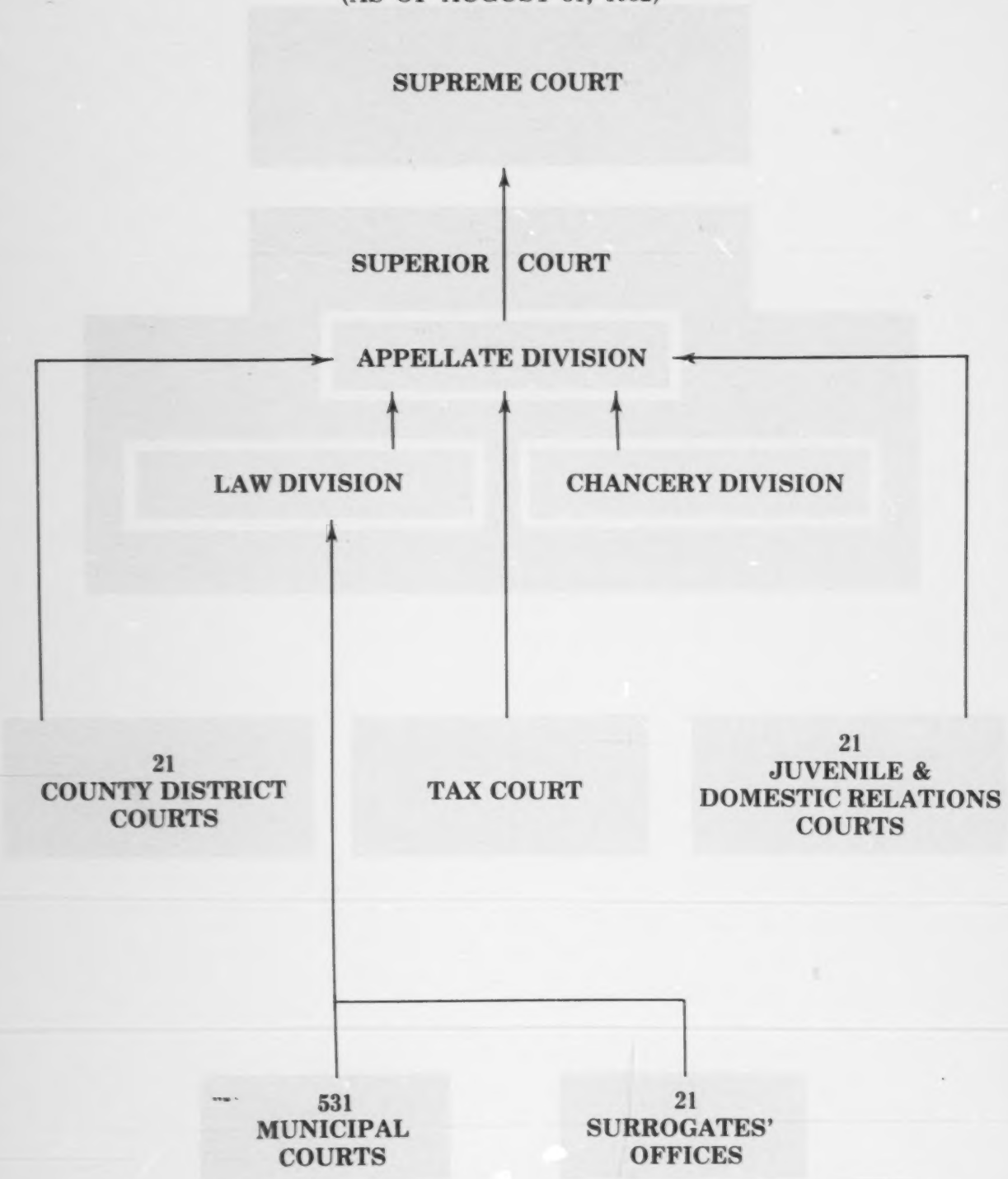
MUNICIPAL COURTS 68

VICINAGE PROFILES 75

ADMINISTRATIVE OFFICE OF THE COURTS 87

The Court System

(AS OF AUGUST 31, 1982)



# of New Jersey

(JUSTICES, JUDGES AND JURISDICTIONS)

SUPREME COURT: Chief Justice and 6 Associate Justices. Initial term of 7 years with tenure on reappointment. Mandatory retirement at 70.

Final Appeal in:

1. Constitutional questions
2. Issues where dissent in Appellate Division
3. Capital causes
4. Certifications
5. In such causes as provided by law

SUPERIOR COURT: 236 Judges authorized. Term, tenure and retirement same as Supreme Court. (Tenured former County Court judges have tenure on the Superior Court, and former County Court judges not having tenure as of December 7, 1978 hold office for the unexpired portion of their terms and acquire tenure upon reappointment.)

APPELLATE DIVISION

Appeals from:

1. Law and Chancery Divisions
2. County District Courts
3. Juvenile & Domestic Relations Courts
4. State Administrative Agencies
5. Tax Court
6. As provided by law

LAW DIVISION

1. General jurisdiction in all causes, civil and criminal
2. Proceedings in lieu of prerogative writs, except review of state administrative agencies
3. Appeals from Municipal Courts and Wage Collection Section, Office of Wage and Hour Compliance
4. Probate

CHANCERY DIVISION

1. General equity
2. Matrimonial
3. Probate

COUNTY DISTRICT COURTS: 39 Judges authorized. Term: 5 years. Tenure after 10 years and third appointment. Mandatory retirement at 70.

1. Contract, penalty, and tort actions at $5,000
2. Landlord and tenant
3. Small claims at $1,000
4. Concurrent criminal and quasi-criminal jurisdiction with Municipal Courts
5. Bastardy and filiation proceedings
6. Actions by creditors against an estate up to $5,000
7. Up to $5,000 for disciplinary sanctions by professional and occupational boards of the Division of Consumer Affairs.

TAX COURT (Effective July 1, 1979): 12 Judges authorized. Term same as Supreme Court except for the 1979 appointments. Tenure and retirement same as Supreme Court. The Tax Court reviews the determinations of agencies and officials charged with administration of state and local taxes and in particular:

1. Local property tax assessments
2. State tax assessments
3. Equalization tables promulgated by the director of the Division of Taxation or the County Boards of Taxation

JUVENILE AND DOMESTIC RELATIONS COURTS: 35 Judges authorized. Term: 5 years. Tenure after 10 years and third appointment. Mandatory retirement at 70.

1. Exclusive jurisdiction over juvenile delinquency* and "juveniles in need of supervision."
2. Child abuse matters
3. Support
4. Temporary custody of children
5. Bastardy and filiation proceedings

MUNICIPAL COURTS: 359 Judges. Term: 3 years.

1. Traffic and motor vehicle violations
2. Ordinance violations
3. Disorderly persons offenses
4. Fish and game and navigation violations
5. Bastardy and filiation proceedings
6. Other specified crimes (where penalty does not exceed 1 year incarceration or $1,000 fine) and offenses (where value of property does not exceed $500), including some crimes where indictment and trial by jury can be waived.
7. Probable cause hearings on indictable offenses.

SURROGATES' OFFICES: 21 Surrogates. Elected. Term: 5 years.

1. Uncontested probate matters
2. Deputy clerk of the Superior Court for probate matters

*"Juvenile delinquency" excludes violations of chapters 3, 4, 6 and 8 of Title 39 of the N.J. Statutes where juveniles are 17 years old.

BEST AVAILABLE COPY

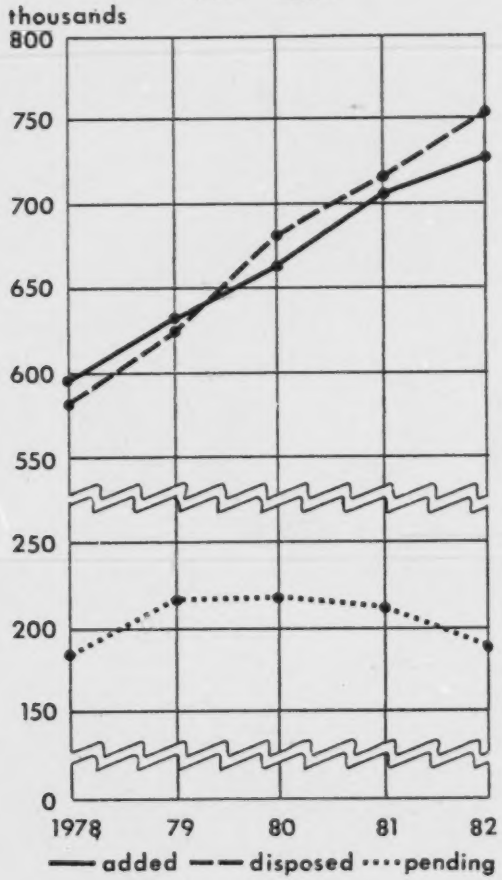
OVERVIEW

OVERVIEW

During the 1982 court year, the volume of cases added rose to the highest on record, 729,126 cases. In spite of the influx the New Jersey Judiciary succeeded, for the third consecutive year, in clearing the calendar - disposing of 20,964 more cases than were filed.

Clearance has historically been rare in New Jersey and in other states. In the past 30 years, the system has cleared only once each decade. Beginning in 1980, however, the current pattern of calendar clearance began.

CASES ADDED, DISPOSED, PENDING
1978 - 1982



New Jersey's courts have succeeded in clearing the calendar through the extraordinary efforts of all the people in the state's justice system. The productivity of the judges has increased dramatically. In addition, management improvement programs have led to more cost effective use of existing personnel and better service to the litigants and the public.

The number of cases pending has declined substantially, to the lowest number since 1978.

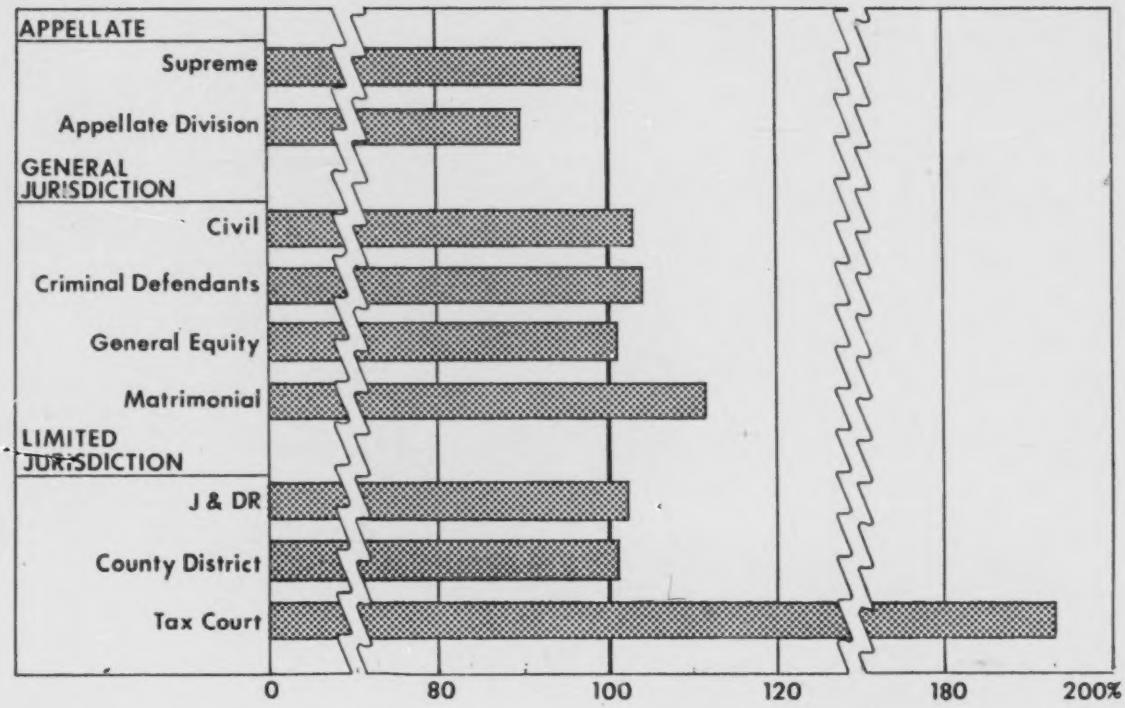
While overall growth of backlog was staunched in 1980, there were particular calendars which continued to experience problems. In 1982, for the first time, however, every major trial court calendar cleared.

Dispositions as a percentage of filings gives a good measure of calendar clearance. By this measure when dispositions equal filings the ratio is 100%. The graph on the next page shows that the trial courts all achieved calendar clearance ratios over 100% in 1982, but that the appellate calendars did not clear.

Not only was calendar clearance universal throughout the trial court calendars, it was spread across almost all counties as well. In 1982, the trial courts in 19 of the 21 counties avoided an increase in backlog. There were two near misses: Cape May County fell 7 cases short of clearance, and Cumberland County came within 15 cases. Four counties — Bergen, Gloucester, Hunterdon and Warren — had the distinction of clearing every trial court calendar.

These figures show that the goal of calendar clearance is accepted throughout the Judiciary. In every county and every calendar, judges and their staffs are dedicated to the reduction of backlog that comes from clearing the calendar.

CALENDAR CLEARANCE 1982



CASES ADDED BY CALENDAR
1981-1982

CASES ADDED

The volume of cases flowing into the court system increased again in 1982. There were 729,126 cases added (excluding the minicipal courts), a 3% growth over 1981.

Cases added have increased steadily in recent years, and the 1982 volume was the highest ever.

Compared with the increase in cases added, the number of judgeships has increased much more slowly. Since 1978, cases added have gone up by 22.6%, but the number of judgeships created has gone from 314 to 329, an increase of only 4.8%, just one-fifth the rate of increase in caseloads.

Among the 11 major court calendars, the two fastest growing were the Supreme Court and Domestic Relations. The chart below shows the breakdown by court calendar of the total cases added.

	1981	1982	% Change
Appellate			
Supreme Court	216	298	+38.0%
Appellate Division	5,813	6,038	+ 3.9%
General Jurisdiction Trial Court			
Criminal (Defendants)	36,703	35,414	- 3.5%
Civil	51,982	53,647	+ 3.2%
General Equity	4,305	4,291	- 0.3%
Matrimonial	32,237	29,531	- 8.4%
Limited Jurisdiction Trial Court			
Juvenile Delinquency	101,124	98,213	- 2.9%
JINS	12,469	11,596	- 7.0%
Domestic Relations	90,347	99,047	+ 9.6%
County District	360,941	380,735	+ 5.5%
Tax Court	8,343	6,376	-23.6%
Minor Trial Court Calendars			
Municipal Appeals	2,942	3,147	+ 7.0%
Post-Conviction Relief	105	167	+59.0%
Probate	612	626	+ 2.3%
TOTAL	708,139	729,126	+ 3.0%

The following chart breaks down the volume of cases added by vicinage. The vicinage-level courts (all trial calendars except Tax Court) had an increase of 3.3% in 1982 over 1981. Of the twelve vicinages, nine showed an increase in cases added over the previous year. The largest increases occurred in Middlesex County and in the Camden-Gloucester vicinage.

CASES ADDED BY VICINAGE 1981 - 1982

VICINAGE	1981	1982	% Change
Vicinage 1	55,673	59,852	+ 7.5%
Atlantic	23,169	26,906	+16.1%
Cape May	8,194	8,874	+ 8.3%
Cumberland	15,438	15,846	+ 2.6%
Salem	8,872	8,226	- 7.3%
Vicinage 2			
Bergen	57,408	58,529	+ 2.0%
Vicinage 3	54,680	54,111	- 1.0%
Burlington	27,241	25,971	- 4.7%
Ocean	27,439	28,140	+ 2.6%
Vicinage 4	62,794	67,942	+ 8.2%
Camden	46,534	51,309	+10.3%
Gloucester	16,260	16,633	+ 2.3%
Vicinage 5			
Essex	131,492	137,986	+ 4.9%
Vicinage 6			
Hudson	59,086	59,257	+ 0.3%
Vicinage 7	49,920	51,174	+ 2.5%
Hunterdon	5,117	4,977	- 2.7%
Mercer	31,859	32,198	+ 1.1%
Somerset	12,944	13,999	+ 8.2%
Vicinage 8			
Middlesex	47,762	51,677	+ 8.2%
Vicinage 9			
Monmouth	41,348	42,822	+ 3.6%
Vicinage 10	36,779	37,187	+ 1.1%
Morris	23,528	23,539	+ 0.04%
Sussex	7,740	7,601	- 1.8%
Warren	5,511	6,047	+ 9.7%
Vicinage 11			
Passaic	51,903	50,985	- 1.8%
Vicinage 12			
Union	44,922	44,892	- 0.1%
TOTAL	693,767	716,414	+ 3.3%

DISPOSITIONS

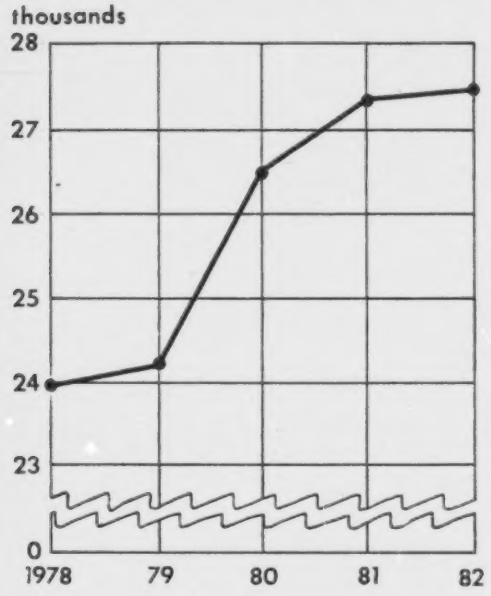
Total dispositions exceeded cases added in 1982. Dispositions rose by 4.4% over the 1981 total, marking the sixteenth consecutive year of greater dispositions in the New Jersey courts. In each of the last five years, dispositions have increased by 4% or more, showing sustained productivity growth in the system in recent years.

CASE DISPOSITIONS BY CALENDAR, 1981-1982
(USING DEFENDANTS)

	1981	1982	% Change
Supreme Court	216	288	+33.3%
Appellate Division	5,001	5,423	+ 8.4%
General Jurisdiction Trial Court			
Criminal (Defendants)	34,158	36,962	+ 8.2%
Civil	50,762	54,962	+ 8.3%
General Equity	4,996	4,341	-13.1%
Matrimonial	31,146	32,980	+ 5.9%
Limited Jurisdiction Trial Court			
Juvenile Delinquency	101,388	101,793	+ 0.4%
JINS	12,591	11,915	- 5.4%
Domestic Relations	91,172	99,326	+ 8.9%
County District	367,855	386,006	+ 4.9%
Tax Court	15,564	12,288	-21.0%
Minor Trial Court Calendar			
Municipal Appeals	2,950	3,020	+ 2.4%
Post-Conviction Relief	122	143	+17.2%
Probate	594	643	+ 8.2%
TOTAL	718,515	750,090	+ 4.4%

The best indication of productivity is dispositions per judge. That measure has increased in the last five years from 2,399 to 2,742 cases per trial court judge, a 14% increase since 1978.

DISPOSITIONS PER JUDGE
1978 - 1982



Among the court calendars, dispositions increased the most from 1981 to 1982 in the Supreme Court, the Appellate Division, and Domestic Relations. Dispositions in the Civil and Criminal calendars also increased greatly.

Dispositions in the vicinage-level trial courts grew the most in the Camden/Gloucester vicinage, Middlesex, and Essex. Of the 12 vicinages, 11 showed an increase in the number of dispositions in 1982 compared to 1981.

CASES DISPOSED BY VICINAGE 1981 - 1982

VICINAGE	1981	1982	% Change
Vicinage 1	57,332	60,784	+ 6.0%
Atlantic	23,242	27,692	+19.1%
Cape May	8,633	8,849	+ 2.5%
Cumberland	16,266	15,841	- 2.6%
Salem	9,191	8,402	- 8.6%
Vicinage 2			
Bergen	57,475	60,489	+ 5.2%
Vicinage 3	54,618	54,966	+ 0.6%
Burlington	27,232	26,474	- 2.8%
Ocean	27,386	28,492	+ 4.0%
Vicinage 4	63,180	69,957	+10.7%
Camden	47,128	51,936	+10.2%
Gloucester	16,052	18,021	+12.3%
Vicinage 5			
Essex	130,665	139,429	+ 6.7%
Vicinage 6			
Hudson	57,915	60,099	+ 3.8%
Vicinage 7	51,998	52,880	+ 1.7%
Hunterdon	5,280	5,122	- 3.0%
Mercer	33,713	33,210	- 1.5%
Somerset	13,005	14,548	+11.9%
Vicinage 8			
Middlesex	47,908	52,122	+ 8.8%
Vicinage 9			
Monmouth	44,175	43,924	- 0.6%
Vicinage 10	36,355	38,572	+ 6.1%
Morris	23,101	24,312	+ 5.2%
Sussex	7,849	7,725	- 1.6%
Warren	5,405	6,535	+20.9%
Vicinage 11			
Passaic	51,043	53,423	+ 4.7%
Vicinage 12			
Union	45,070	45,446	+ 0.8%
TOTAL	697,734	732,091	+ 4.9%

In 1982, the number of trials increased from 235,742 to 245,531, an increase of 4.2%. Civil trials especially increased, at a rate of 11.5% compared to 1981. Settlements also increased by 3.3%.

METHOD OF DISPOSITIONS 1981 - 1982

	1981	1982	% Change
Criminal Defendants			
Total Trials	3,023	3,075	1.7%
Tried to Completion	2,589	2,779	7.3%
Partially Tried	434	296	-31.8%
Guilty Plea	20,928	22,842	9.1%
Other	10,207	11,045	8.2%
Civil			
Total Trials	3,570	3,979	11.5%
Tried to Completion	2,389	2,673	11.9%
Partially Tried	1,181	1,306	10.6%
Settlements/Dismissals	46,103	49,882	8.2%
Other	1,089	1,101	1.1%
General Equity			
Total Trials	1,235	983	-20.4%
Tried to Completion	829	721	-13.0%
Partially Tried	406	262	-35.5%
Settlements/Dismissals	3,192	2,932	-8.1%
Other	569	426	-25.1%
Matrimonial			
Hearings	29,637	31,035	4.7%
Contested	12,232	12,849	5.0%
Uncontested	17,405	18,186	4.5%
Settlements/Dismissals	1,502	1,919	27.8%
Other	7	26	271.4%
Juvenile Delinquency			
Hearings	53,485	55,365	3.5%
With Counsel	36,235	38,056	5.0%
Without Counsel	17,250	17,309	0.3%
Referred or Transferred	40,387	38,419	-4.9%
Other	7,516	8,009	6.6%
Total	47,903	46,428	-3.1%
JINS			
Hearings	6,333	6,097	-3.7%
With Counsel	2,531	2,651	4.7%
Without Counsel	3,802	3,446	-9.4%
Referred or Transferred	5,512	4,830	-12.4%
Other	746	988	-7.0%
Domestic Relations			
Hearings	74,232	80,037	7.8%
Inactive	9,368	9,223	-1.5%
Other	7,572	10,066	13.9%
District Court			
Trials	64,227	64,960	1.1%
Tried to Completion	53,814	53,809	-0.009%
Partially Tried	10,413	11,151	7.1%
Settlements	118,837	119,342	0.4%
Other	184,791	201,704	9.2%
TOTAL			
Trials/Hearing	235,742	245,531	4.2%
Pleas/Settlements	190,562	196,917	3.3%
Other	267,764	285,837	6.7%
TOTAL DISPOSITIONS	694,068	728,285	4.9%

CASES PENDING

During the 1982 court year, the number of cases pending fell to 191,353 in all courts (other than municipal). This is the lowest number of cases pending since 1978, and it is the third consecutive year in which the number of cases pending declined.

Among the several court calendars, the number of cases pending declined fastest in Tax, JINS, and Juvenile Delinquency.

Every vicinage showed a reduction in cases pending. The vicinages whose pending caseloads declined the most were Passaic and Morris/Sussex/Warren.

The number of cases pending can be evaluated in another way. By comparing the pending cases to the rate of dispositions each month (annual disposition divided by 12), an inventory index can be created representing the number of months the court would take to dispose of all its pending caseload. In 1982, the inventory index decreased in almost all court calendars, showing a decline in the number of pending cases compared to the rate of dispositions. Only in General Equity and the Appellate Division did the inventory index grow.

CASES PENDING BY CALENDAR 1981 - 1982

	1981*	1982	% Change
Supreme Court	131	141	7.6%
Appellate Division	5,845	6,460	10.5%
General Jurisdiction Trial Court			
Criminal (defendants)	37,375	35,827	-4.1%
Civil	62,079	60,764	-2.1%
General Equity	2,573	2,523	-1.9%
Matrimonial	20,975	17,526	-16.4%
Limited Jurisdiction Trial Court			
Juvenile Delinquency	13,562	9,982	-26.4%
JINS	1,039	720	-30.7%
Domestic Relations	6,056	5,777	-4.6%
County District	48,475	43,204	-10.9%
Tax Court	13,227	7,315	-44.7%
Minor Trial Court Calendar			
Municipal Appeals	684	811	18.6%
Post-Conviction Relief	30	54	80.0%
Probate	266	249	-6.4%
TOTAL	212,317	191,353	-9.9%

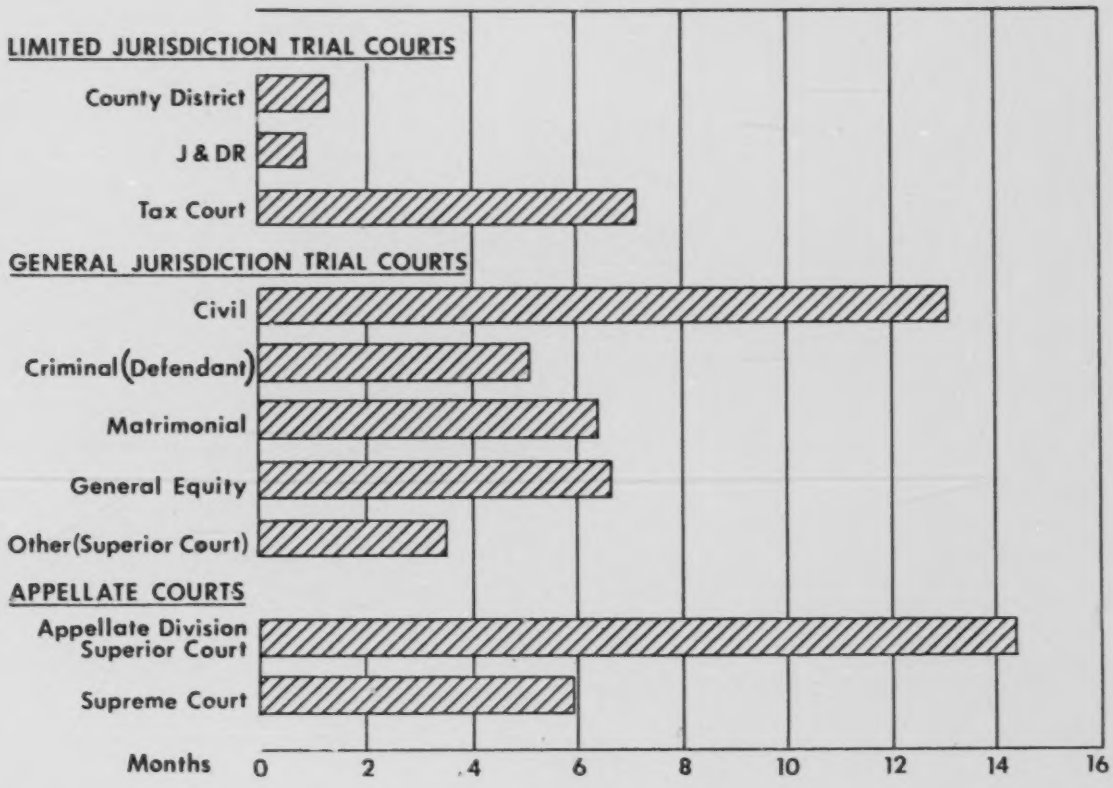
* 1981 figures are adjusted because of recounts during the year.

CASES PENDING BY VICINAGE 1981 - 1982

	1981*	1982	% Change
Vicinage #1	13,444	12,512	-6.9%
Atlantic	6,418	5,632	-12.2%
Cape May	2,138	2,163	1.2%
Cumberland	3,246	3,251	0.2%
Salem	1,642	1,466	-10.7%
Vicinage #2			
Bergen	20,954	18,994	-9.4%
Vicinage #3	13,118	12,263	-6.5%
Burlington	6,359	5,856	-7.9%
Ocean	6,759	6,407	-5.2%
Vicinage #4	18,788	16,773	-10.7%
Camden	11,891	11,264	-5.3%
Gloucester	6,897	5,509	-20.1%
Vicinage #5			
Essex	25,470	24,027	-5.7%
Vicinage #6			
Hudson	15,727	14,885	-5.4%
Vicinage #7	14,056	12,350	-12.1%
Hunterdon	1,926	1,781	-7.5%
Mercer	8,796	7,784	-11.5%
Somerset	3,334	2,785	-16.5%
Vicinage #8			
Middlesex	18,499	18,054	-2.4%
Vicinage #9			
Monmouth	16,011	14,909	-6.9%
Vicinage #10	11,258	9,873	-12.3%
Morris	7,052	6,279	-11.0%
Sussex	2,256	2,132	-5.5%
Warren	1,950	1,462	-25.0%
Vicinage #11			
Passaic	13,834	11,396	-17.6%
Vicinage #12			
Union	11,955	11,401	-4.6%
TOTAL	193,114	177,437	-8.1%

* 1981 figures are adjusted because of recounts during the year.

ACTIVE CASES PENDING - MONTHS TO DISPOSITION



ALLOCATION OF JUDGES

New Jersey's courts have a total of 329 authorized judgeships. At the end of the 1982 court year there were 16 vacancies, compared to 31 vacancies the year before. The vacancies at the end of 1982 were at their lowest level since 1971.

Distribution of Judgeships
End of 1982 Court Year

	Judges in Office	Vacancies	Total Authorized
Supreme Court	7	0	7
Appellate Division	21	0	21
Superior Court	211	4	215
J&DR	32	3	35
District	34	5	39
Tax	8	4	12
TOTAL	313	16	329

The average number of full time judges in office during 1982 was 308.3, an increase of 3.9% over the 1981 average. Of this total, 267.0 judges, or more than 85%, were allocated to the trial courts on the vicinage level.

JUDICIAL DISTRIBUTION BY VICINAGE AND COUNTY 1981 - 1982

Trial Courts	1981	1982	% Change	% of Total in 1982
Vicinage #1	16.5	16.6	+ 0.6	6.2%
Atlantic	8.3	8.7	+ 4.8	3.2%
Cape May	2.4	2.6	+ 8.3	1.0%
Cumberland	3.6	3.2	-11.1	1.2%
Salem	2.2	2.1	- 4.5	0.8%
Vicinage #2				
Bergen	27.0	27.4	+ 1.5	10.3%
Vicinage #3	17.8	18.4	+ 3.4	6.9%
Burlington	8.6	8.6	-	3.2%
Ocean	9.2	9.8	+ 6.5	3.7%
Vicinage #4	24.2	25.0	+ 3.3	9.4%
Camden	17.3	18.6	+ 7.5	7.0%
Gloucester	6.9	6.4	- 7.2	2.4%
Vicinage #5				
Essex	37.0	39.0	+ 5.4	14.6%
Vicinage #6				
Hudson	20.6	23.3	+13.1	8.7%
Vicinage #7	18.4	19.6	+ 6.5	7.3%
Hunterdon	2.4	2.8	+16.7	1.0%
Mercer	10.5	10.6	+ 1.0	4.0%
Somerset	5.5	6.2	+12.7	2.3%
Vicinage #8				
Middlesex	23.4	24.5	+ 4.7	9.2%
Vicinage #9				
Monmouth	15.6	16.2	+ 3.8	6.1%
Vicinage #10	12.6	14.9	+18.3	5.6%
Morris	8.7	10.8	+24.1	4.0%
Sussex	2.2	2.1	- 4.5	0.8%
Warren	1.7	2.0	+17.6	0.7%
Vicinage #11				
Passaic	19.8	19.7	- 0.5	7.4%
Vicinage #12				
Union	22.5	22.4	- 0.4	8.4%
TOTAL	255.4	267.0	+ 4.5	

Judicial strength working in the vicinage-level trial courts can be further divided according to the six major trial calendars. The figure below shows that four of these (Civil, Criminal, Matrimonial, and District) calendars had increases in judicial strength.

JUDICIAL DISTRIBUTION BY TRIAL COURT CALENDAR 1981 - 1982

	1981	1982	% Change	% Total in 1982
Civil	76.1	80.4	5.7%	30.1%
Criminal	75.9	80.6	6.2	30.2
Matrimonial	31.7	32.6	2.8	12.2
General Equity	14.3	13.4	-6.3	5.0
Juvenile & Domestic Relations	34.2	34.1	-0.3	12.8
District	23.2	25.9	11.6	9.7
TOTAL	255.4	267.0	4.5%	100.0%

As is clear from the last column, the Civil and Criminal calendars in Superior Court demand the largest percentage of judicial resources, far greater than the calendars with the largest volume of cases.

Within these calendars, the kinds of work performed by the judges varies considerably. The table below shows the number of motions and trials which occurred in the major trial court calendars on a per judge basis.

MOTIONS AND TRIALS PER JUDGE 1982

	Contested Motions	Uncontested Motions	Total Motions	Jury Trials	Non-Jury Trials	Total Trials
Civil	361	611	972	20	13	33
Criminal	331	208	539	30	5	35
Matrimonial	583	233	816	0	952	952
General Equity	428	240	668	1	53	54
District	280	415	695	0	2,078	2,078

In summary, the New Jersey court system can point with pride to major increases in productivity. The caseloads and volume of work have increased far faster than the number of judges available to handle the work. The combination of hard work and strong attention to management of the resources available has led to successes in clearing the calendar and major reductions in backlogs without sacrificing the quality of work performed.

FOCUS '82

1982 JUDICIAL CONFERENCE—PROBATION

The Supreme Court Committee on Efficiency in the Operation of the Courts in New Jersey noted many deficiencies within the Probation System. The committee also recognized that the functions of Probation are among the most far-reaching of any within the court system and, therefore, recommended that the 1982 New Jersey Judicial Conference focus on Probation.

The Judicial Conference, held each year in June, brings together a broad spectrum of State and County officials, legislators, members of the Judiciary and the bar and private citizens. In 1982 the Conference examined the major issues involved in probation, its role in the courts and the criminal justice system, the proper structure for delivering services, and the expectations that the public and justice system personnel have about it.

To prepare for the Conference, the Supreme Court established a 32-member Judicial Conference Planning Committee. The planning committee reviewed the recommendations of the Committee on Efficiency and studied the pre- and post-dispositional role of probation, guidelines for placement on probation, child support and its enforcement, operating standards and guidelines, community support and state-level coordination and the possible unification of the county probation departments into a statewide administrative structure.

To ensure broad-based participation in the examination of probation services, an advisory committee was established in each of the 12 vicinages in the state. Chaired by trial judges, these committees were comprised of probation personnel, court administrators, criminal justice staff, as well as representatives from the bar, clergy, schools, social welfare agencies, county and municipal government and other individuals interested in the criminal justice system. Position papers on each major issue confronting probation, prepared and approved by the Planning Committee, were distributed to the local advisory committees for their discussion and substantive recommendations. This planning approach was designed to permit maximum involvement of the community in defining probation services for the future. As a result, over 200 people participated in the planning process.

The responses of the local advisory committee were consolidated into a formal plan by the Planning Committee and considered at the Judicial Conference on June 25, 1982 at Middlesex County College. The participants were divided into twelve workshops to consider major issues and came together for a plenary session and adopted by consensus a formal plan calling for Proposed Administrative Rules for Probation Services that would establish the following:

- Probation should administer the diversionary programs such as pretrial intervention and juvenile and domestic relations intake.
- Probation should supervise JINS offenders and mental health releases but not traffic law violators or quasi-criminal matters.
- The level of intensity of supervision should be determined by the probation department not the sentencing judge.
- The judiciary should establish a personnel merit system for probation.
- The collection (bookkeeping) function should be separated from other probation functions and be headed by a business manager and report to the Chief Probation Officer.

- Probation should provide for counseling and referral services to families receiving child support enforcement services.

- There should be programmatic unification of probation services.

The recommendations were translated into 48 proposed Rules that communicate to staff, the courts and the public the mission, goals, responsibilities, administration and organization of probation, and propose a comprehensive staff training and development program, a state-level Advisory Board, a judicial merit system, a professional development committee, evaluation, research, planning, a classification system for probationers, workload standards and an administrative manual, among others. The proposed Rules have been submitted to the Supreme Court for review.

JURY UTILIZATION AND MANAGEMENT

The Supreme Court's Task Force on Jury Utilization and Management has recommended, and the Court has approved, the first major overhaul of the jury system in almost 70 years to ensure fairer distribution of jury service among all qualified citizens, broaden representation on juries and make jury service more convenient for citizens. Implementation of the recommendations, some of which require legislative change, will place New Jersey in a growing national movement to reform outdated jury practices.

The 15-member Task Force, headed by Associate Justice Robert Clifford, issued its report following an 18-month study of the system. The last comprehensive review was undertaken by a similar group in 1912 and resulted in legislative changes in 1913.

"The jury system is one of the most basic elements of justice in our democracy," said Chief Justice Robert N. Wilentz. "This attention to its operation is long overdue. The Task Force is to be commended for its historic work."

The Court has concluded that all of its recommendations should be adopted to ensure fairer distribution of jury service among citizens, broader representation on juries, greater convenience for individual jurors, and overall efficiency. The most essential piece of the jury reform package is the elimination of all statutory exemptions from jury service. The Court strongly agrees with the Task Force that every citizen is protected by the jury system and no one is too important or too busy to serve if called to judge his or her peers."

The Task Force noted that existing exemptions hamper broad representation on juries and can create unfair burdens for non-exempt citizens who may be called to serve several times. He said that the need for jury reform has become more urgent over the past decade because of the increase in the number of civil cases where juries may be used (53,000 in 1982 compared to 31,000 in 1972), and the consequent need to empanel more jurors. In addition, jury management techniques that were workable in the past cannot cope with the greater number of jurors and must be improved to avoid wasting the time of citizens. A total of 137,000 people were summoned to jury service in the court year that ended on August 31, 1981.

The recommendations requiring legislative changes have been sent to the Governor, the Senate President and the Assembly Speaker for their consideration. These include eliminating all exemptions from jury duty, an increase in the jury fee paid, reduction in the residency requirement for service on a jury, elimination of the requirement that a juror be able to write in English, removal of the age limit of 75 for a juror, and job protection for jurors.

Other recommendations involve administrative and managment changes that are being implemented by the Court. These include a maximum of one week for a juror's term of service, unless a juror is selected for a trial, and one-day or two-day/one-trial programs where feasible, uniform statewide policies on jury service excuse only for severe hardship and rescheduling for those temporarily excused.

Task Force recommendations on length of jury service and management improvements have already been undertaken over the past two years in some counties by the Administrative Office of the Courts' federally-funded jury reform project. Eleven counties, for example, have one-day one-trial, two-day one-trial, or one-week service programs. And all counties have daily call-in systems to alert jurors if they will not be needed that day.

Legislative changes recommended

* Elimination of all exemptions from jury service now granted by law to the following:

  - persons directly or indirectly involved in the administration of justice. (This has been interpreted over the years to include corrections officers, lawyers and court employees.)

  - occupational exemptions including: police, doctors, dentists, hospital workers, volunteer and paid firemen, volunteer and paid first aid workers, State legislators, full-time custodians of minor children, fish and game wardens and protectors, members of State or federal armed forces on active duty, school teachers during school sessions, all employees of the Board of Control —now the Department of Human Services — telephone and telegraph operators or linemen directly involved in the transmission of messages by telephone or telegraph.

* Revise the qualifications for jury service as follows:

  - eliminate the requirement that a juror be able to write in the English language. While jurors must be able to understand spoken English to follow court proceedings, and read the language if written exhibits are presented, there is never any necessity for a juror to write.

  - remove the current maximum age limit of 75 for jurors. This is in recognition of the growing population in this age group and a desire to eliminate discrimination against their participation in a system they helped to build. Requests to be excused from those over 75 should be granted routinely.

  - eliminate the two year residency requirement. This would recognize modern high mobility and would be consistent with other residency requirements, such as for voting, since processing time required would not result in new residents being summoned for a least six months.

* Initiate legislation that would protect a juror from being terminated, laid off or otherwise penalized by his/her employer on account of jury service.

* Abolish the position of jury commissioner. This position was created by law many years ago to oversee the jury qualification and selection process to ensure fairness and impartiality. However, since 17 of the 21 counties now select jurors by computer, the commissioner merely appears at the beginning of the court session land views the operation of the computer.

* Establish a $10.00 daily payment to jurors for expenses, to be funded 50-50 by the State and county of service. This would replace the existing law (enacted in 1950) requiring county-funded payment of $5.00 per day plus 2¢ a mile for travel.

* Designate the Assignment Judge to administer payment of juror expenses. Currently, County Sheriff's administer payments, while the Assignment Judge supervises all other aspects of the jury system.

COMMITTEE ON EFFICIENCY— IMPLEMENTATION PHASE

The unprecedented work of the Supreme Court Committee on Efficiency, a 21 member group led by corporate officers from New Jersey's major business firms, produced a comprehensive 146 page report identifying management and administrative problems in New Jersey's trial court system and recommending future solutions. The Committee, chaired by Robert Van Fossan, Chairman and Chief Executive Officer of Mutual Benefit Life Insurance Company, made its final report, reviewed in last year's Annual Report, to the Supreme Court in April, 1982, following 18 months of study.

While the Supreme Court continues to review the Committee recommendations which would require legislation, such as the call for full State funding of the court system, and creation of a separate judicial personnel merit system, the other recommendations are being analyzed to determine feasible steps for implementation.

Implementation subcommittees, consisting of court and county officials, are working on recommendations in seven specific areas. The subcommittees and the recommendations they are analyzing are as follows:

MANAGEMENT STRUCTURE -- Superior Court Judge Samuel D. Lenox, Jr., Chairman

Recommendations to be Considered:

.Strengthen the position of the Assignment Judge by providing a clear definition of his managerial responsibilities at the trial court level.

(a) Internal management structure of trial court system (role of presiding judges, etc.).

.Define a strong supervisory role for the Assignment Judge with respect to the performance of the court-related functions of the Surrogate, Sheriff, County Clerk and Chief Probation Officer.

.Delegate significant managerial authority to the Trial Court Administrator with respect to non-adjudicative aspects of the Trial Court System.

.Establish an advisory committee within each vicinage, appointed by the Assignment Judge, to assist him in establishing goals for the courts within the vicinage.

.Establish management committees to aid the Assignment Judge in discharging his administrative responsibilities.

.Redefine the role of the Administrative Office of the Courts to reflect a strong management support agency with emphasis on the provision of technical assistance, research and development, evaluation and monitoring services, and coordination so as to develop uniform practices and procedures in the Trial Court system.

(a) Technical Assistance
(b) Standardization of Procedures
(c) Training
(d) Monitoring and Auditing

FEES — Superior Court Judge Arthur J. Simpson, Jr., Chairman

Recommendation to be Considered:

.Review all cost and fee schedules in the light of actual trial court operation costs for the purpose of assessing more realistic user fees.

CASE PROCESSING -- Associate Justice Stewart G. Pollock, Chairman

Recommendations to be Considered:

A. Clerks

.Consolidate all trial court clerical support functions performed with respect to pending cases into a single organization under the direct control of the Judicial Branch.

.Terminate certain judicial support functions of the County Clerk.

.Designate Case Managers responsible for caseflow in each of the courts.

.Appoint a Case Coordinator in each vicinage.

.Give additional assignments to Deputy Court Clerks to promote better use of their worktime.

.Eliminate overlapping functions now performed by the Superior Court Clerk.

B. Records and Information Management

.Acquire and utilize word processing equipment where it is cost-effective.

.Develop and implement an efficient and economical standard system for the utilization of microfilm for court documents.

.Establish quality control standards and film negative monitoring procedures.

.Standardize film security, storage and disposition.

.Establish standards for active and inactive filing and record storage systems.

.Review records retention schedules and determine whether these schedules are being met.

.Implement existing appropriate records retention schedules and destroy eligible records.

.Segregate inactive case records now intermingled with active case records and not yet eligible for destruction. Acquire equipment for storage of the inactive records.

.Adopt a simple retrieval system for receiving and returning records in remote storage areas.

.Assign the State Library the storage costs for records held beyond retention date for archival review or transfer these records to the State Library storage facilities to relieve critical storage space in the court system.

.Develop a forms management program within the Administrative Office of the Courts to promote the standardization of forms used in the court system.

PERSONNEL -- Dean Horace DePodwin, Rutgers University, Chairman

Recommendations to be Considered:

.Establish a single statewide personnel system for all employees of the Judicial Branch of State Government.

.Create the position, Personnel Officer for the New Jersey Trial Court System, with fundamental reponsibility for personnel matters for all court support service personnel.

.Designate key non-elected supervisory and professional positions at the vicinage level as systemwide positions.

.Establish standardized Trial Court System work procedures.

.Establish a program of trial court systemwide training programs.

.Create a central personnel file of key persons employed by the Trial Court System.

.Establish output and performance measures for each unit in the State's Trial Court System.

FINANCE AND BUDGET -- Superior Court Judge Philip A. Gruccio, Chairman

Recommendations to be Considered:

.Hold Assignment Judges accountable for the efficient and cost-effective use of personnel at the vicinage level.

.Finance the Trial Court System completely at the State level.

.Strengthen the financial management roles of the Assignment Judge and Trial Court Administrator; provide technical assistance from the Administrative Office of the Courts to support this role. (Work with management committee.)

.Establish within each county a court budget and planning committee, consisting of the Trial Court Administrator, the Assignment Judge, and county officers.

.Establish a uniform budget system throughout the state.

.Develop a financial reporting and accounting system and document it in a comprehensive written manual.

SHERIFFS -- Superior Court Judge Arthur J. Blake, Chairman

Recommendations to be Considered:

.Continue the current relationship wherein the sheriff, an elected constitutional officer, provides security to the court.

.Assign to the sheriff operational command of all peace officers and others acting in courthouse security.

.Require each sheriff to develop a courthouse security plan for consideration by the Assignment Judge.

.Security officers should be assigned in criminal, juvenile, and domestic relations and matrimonial courts as standard practice, and in other types of cases only at the request of the trial judge.

.Transfer responsibility for non-security court attendants from the sheriff to the courts.

SURROGATES -- Superior Court Judge Thomas S. O'Brien, Chairman

Recommendations to be Considered:

.Retain surrogates as elected, constitutional officers.

.Develop and implement a training program for surrogates and their staff.

.Transfer the surrogates' present clerk function for contested probate matters to the case coordinator.

.Authorize a pilot study to evaluate the use of surrogates to hear matters such as accountings, adoptions, and uncontested cases of doubt and difficulty.

SUPREME COURT COMMITTEES

COMMITTEE ON BATTERED WOMEN

The 16-member Supreme Court Committee on Battered Women, chaired by Superior Court Judge Julia Ashbey, recommended extensive training for judges and court personnel on the new Prevention of Domestic Violence Act and domestic violence in general, and 24-hour availability of judges to hear emergency complaints under the law, which went into effect on April 9, 1982.

The Committee was created by Chief Justice Robert N. Wilentz in 1981, following a report of the New Jersey Advisory Committee to the U.S. Commission on Civil Rights which indicated that, although New Jersey was in the forefront in establishing shelters for battered women, police and court personnel did not always treat battering seriously.

The new law provides emergency relief from the courts, including municipal courts, for victims of domestic violence. This may include court orders barring the abuser from the household, awarding temporary custody of minor children and payment by the abuser of medical, legal and other expenses. The Committee also worked with the Administrative Office of the Courts (AOC) in developing court forms to gather information on domestic violence incidents, as required by law.

The Committee also recommended that every clerk and police officer whose job it is to communicate emergency matters to municipal judges, or any judge doing emergency duty, should have domestic violence forms available, and a procedure established whereby the judge's order may be recorded by telephone and implemented by restraining orders (ex parte) where the judge finds necessary.

The Committee recommended a half-day training session for all judges who have jurisdiction to hear domestic violence cases and the introduction of domestic violence as a topic in the ongoing training programs for all newly-appointed judges, the Annual Judicial College and other training programs provided by the Administrative Office of the Courts.

Based on proposals made by its Subcommittee on Education, headed by Professor Nadine Taub of Rutgers School of Law, Newark, the Committee recommended that training focus on understanding the legal and social issues presented in domestic violence cases and practical application and enforcement of the Prevention of Domestic Violence Act itself.

The Committee's recommendations are being implemented.

TASK FORCE ON INTERPRETER AND TRANSLATION SERVICES

The 13-member Task Force, chaired by Superior Court Judge Herbert S. Alterman, is evaluating existing interpreter and translation services in the Judiciary to ensure equal access to the courts for all persons who do not speak English or have an auditory handicap.

During the first year of work, the Task Force devoted its energies to collecting background information. Mail-out surveys were conducted of two groups: all judges and all persons functioning in any capacity as interpreters. All Trial Court Administrators were interviewed, and the following supplementary studies were initiated: history of state legislation on interpreters, history of policy and administrative guidelines, related case law, current law and policies governing practice, related Civil Service testing procedures, relevant statutes in other jurisdictions and models of administration from other jurisdictions.

The Task Force also anticipates gathering information from the following: practicing attorneys, persons who have required interpreters, probation personnel, pro-

fessional translation agencies and related citizen services/advocacy groups (e.g., Hispanic community).

When all of this information has been gathered and digested, the Task Force will evaluate current services and prepare recommendations. These will cover at least the following areas: qualifications, certification, training, evaluation and administration of interpreters; guidelines directing the use of interpreters or securing translation of documents for all court proceedings and in probation investigations and supervisory activities.

The Committee is scheduled to report to the Supreme Court in late 1983.

CHILD PLACEMENT ADVISORY COUNCIL

The State Child Placement Advisory Council advises the Supreme Court on matters relating to the out-of-home placement of children in New Jersey. It is made up of the chairman of the 39 County Child Placement Review Boards, volunteer citizen boards, established by law in 1978 to review all out-of-home placements approved by the courts. The County Boards conducted 10,172 reviews during calendar 1981.

During the year, the Council, Chaired by Corinne Driver, was involved with the Legislature in the consideration of reenactment of the 1978 law, which would have expired in June, 1981 under the original legislation. The Child Placement Review Act was made permanent, and a $50,000 appropriation was provided for operations.

During calendar year 1981, the Council, in conjunction with Somerset County and a State Law Enforcement Planning Agency (SLEPA) grant, conducted child placement review training for board members, judges, county staff and representatives from the State Division of Youth and Family Services. Training topics include: communication skills; the mechanics of the review process; techniques for helping families; legal constraints in adoption; permanency; separation; and child development. Training was also provided for Board members at four locations around the state.

COMMITTEE ON ATTORNEY ADVERTISING

The 18-member Committee on Attorney Advertising is reviewing all existing rules on advertising, including the ban on television and radio advertisements, and the use of "trade names" by attorneys practicing in New Jersey.

Francis X. Crahay, a former Judge in the Appellate Division of Superior Court, former Assignment Judge in Monmouth County, and now a Middletown attorney, is Chairman of the Committee which includes 13 lawyers and 5 public members.

Disciplinary Court Rule 2-101 currently restricts attorney advertisements to print media only, and prohibits any representation that is false, fraudulent, misleading or deceptive regarding an attorney's ability, background, experience, association, or fee. Disciplinary Rule 2-102 provides that the name of a firm practicing in New Jersey may not contain the names of the attorneys who are not (or were not, if retired or deceased) licensed to practice here.

A recent New Jersey Supreme Court decision (4/28/82) involving an appeal by Leonard Jacoby and Stephen Meyers, California attorneys, found Rule 2-102 to be constitutional, and upheld the Advisory Committee on Professional Ethics opinion barring use of the name 'Jacoby and Meyers' in advertisements in New Jersey, because neither attorney was licensed to practice here. In that decision, the Court also concluded that the effects and benefits of the rule on firm names and the rule banning television advertising should be studied further by a Supreme Court Committee.

YOUTH SERVICES/COMMUNITY INVOLVEMENT COMMISSION

The State Youth Services/Community Involvement Commission, co-chaired by Chief Justice Robert N. Wilentz and Attorney General Irwin I. Kimmelman, is a unique pilot project designed to mobilize citizens, youths, educators, youth workers, law enforcement officials and other community groups to fight juvenile deliquency problems at the local, county and state levels and improve coordination of services to troubled youths.

In addition to the State Commission, county and municipal commissions are working in the three pilot counties --Burlington, Middlesex and Somerset. The program was funded during the 1981-82 court year by a grant from the State Law Enforcement Planning Agency.

Working together, this cross-section of community interests has increased public awareness and involvement in the identification and resolution of juvenile justice problems. Specifically, the first year effort has resulted in the following:

- .A community outreach center in Burlington County which provides services to youth and families in need of assistance.
- .A youth employment service in Somerset County which provides job opportunities for high school students.
- .Procedures for using teams to recommend commitment alternatives for consideration by the court. Those teams include personnel from the Public Defender's Office, Department of Corrections, Division of Youth and Family Services and the Probation Department.
- .Education programs in Somerset county which provide in-school education about alcohol and drug abuse of after-school lectures and peer counseling.
- .A drug diversion program in Middlesex County which provides counseling and treatment services.

CIVIL PRACTICE COMMITTEE

The Civil Practice Committee, chaired by Alfred C. Clapp, Esq. of Newark, offered the Supreme Court numerous recommendations for court rule revision, many of which were adopted by the Court. The major rule amendments adopted are as follows:

- .Restrictions were lifted on the closing argument permitted attorneys in personal injury cases. In a reversal of the long-standing Botta rule, lawyers are now permitted to suggest that juries claculate damages for pain and suffering on the basis of a mathematical calculation based on specific units of time (Rule 1:7-1). This change is expected to greatly assist jurors in their deliberations.
- .Restrictions were eased on the practice of law by non-profit corporations offering legal services to the poor or handling public interest litigation (Rule 4:73-11).
- .Judges may now submit to juries written copies of their jury charge. This development is expected to be useful in assisting jurors in complex cases (Rule 1:8-8).
- .Judges may permit jurors to take notes during trial, provided cautionary instructions are given to remind jurors to remain attentive to testimony, and to rely primarily on their independent recollection.

COMMITTEE ON COUNTY DISTRICT COURTS

Operating under a general mandate to increase uniformity and simplicity throughout the county district courts' systems and procedures, the Committee, chaired by Superior Court Judge Lawrence Weiss, examined court rules, AOC directives and statutes to determine where amendments, clarifications or reconsiderations would further the efficient administration of the court. Every facet of practice in the Division of Small Claims was reviewed intensively by the Committee. Other activities of the Committee included consideration of utilizing standardized forms, service of process by mail, and publication of a single list of statewide district court fees. The Committee sought to identify problem areas and established subcommittees where necessary to suggest appropriate solutions.

The Subcommittee on Forms examined commonly used forms and recommended statewide standardization. The Subcommittee developed sample forms that are clear and concise, use plain language and are amenable to easy and quick preparation by court personnel, attorneys and pro se litigants. The Subcommittee on Fees examined the statutory fee structure to make county district court fees uniform, to raise fees where required and to eliminate unnecessary or troublesome fees.

As a result of the Committee's work, a single statewide fee structure was published for county district court and standardization of forms most commonly used in the county district court and by pro se individuals. Rule changes were recommended to aid motion practice and facilitate dismissal of inactive cases. The Committee endorsed an AOC directive permitting constables to make additional charges for evictions and reviewed pending legislation concerning procedures and remedies in landlord/tenant relations. Service by mail was opposed by the Committee because of the additional clerical work and attendant economic burden. As an alternative to service by mail, the Committee suggested more effective administration and supervision of process servers.

Two rule amendments recommended by the Committee have been approved and adopted. Rule 1:13-7 was amended to provide for the automatic dismissal and/or restoration of district court cases upon fulfillment of specified conditions. The adopted amendment to Rule 6:3-3 requires answers to motions to set forth with particularity the basis of the opposition. Overall, the activities and recommendations of the Committee focused on uniformity and simplification of district court procedures.

THE TASK FORCE ON JUDICIAL LABOR RELATIONS

The Task Force on Judicial Labor Relations has been charged with the responsibility for developing recommendations to the Court on how best to conduct labor relations with judicial employees throughout the State. The Task Force, chaired by Appellate Division Judge John L. Ard, has been working diligently for approximately two years. The first phase of its work consisted of a review of the manner in which labor relations has been conducted to date, including a review of applicable case law and various factual occurrences. The Task Force then identified approximately 10 key areas for study. Each has been carefully considered. Where necessary, outside experts have been requested to present their views to the Task Force.

The Task Force also conducted a one-day public hearing for all labor groups who do or might represent judicial employees. Their views and recommendations were requested regarding how labor relations have been conducted to date and how they can be improved in the future. The Task Force also met with representatives of county governments to consider their concerns in the labor relations field. The Task Force is expected to report to the Supreme Court in early 1983.

SMALL CLAIMS TASK FORCE

The Task Force, chaired by Federal District Court Judge John W. Bissell, explored all facets of practice in the small claims division and suggested improvements to further the objectives of the small claims division of providing accessible, prompt, inexpensive and just resolution of disputes. In recognition of the heavy caseload and high percentage of pro se litigants, the Task Force acknowledged the need for statewide uniformity in procedures and forms. It made recommendations to amend various rules and statutes, improve court accessibility, establish standardized forms, provide alternative methods of dispute resolution, relax the rules of evidence and to involve the court in arrangements for payment of judgements. The Task Force released its report simultaneously with the report of the Committee on County District Courts.

The Supreme Court has adopted the following Committee recommendations:

- .The rules of evidence may be relaxed in small claims cases involving pro se litigants (effective July 1983 if there is no legislative action)
- .The time periods for return of the summons be expanded
- .Eliminate jury trials in small claims
- .Preclude pretrial discovery in actions within the jurisdiction of small claims

The Task Force identified the need to inform the public of the availability of small claims court as a means of dispute resolution by publishing of a special telephone number and distribution of pamphlets to any litigant in small claims to ensure proper preparation for trial. To improve the accessibility of the court, the Task Force pointed to the success of a pilot night court project and suggested that each county consider whether to make small claims court available at either different sites or different hours from those normally used.

In the interests of simplicity and uniformity, the Task Force prepared several recommended plain language forms for statewide use that include general information needed by litigants to present proper proofs at trial. Voluntary mediation was recommended as an alternative to contested trials, but arbitration was specifically rejected. Amending statutes and rules was recommended to expand the suject matter jurisdiction of the small claims division and to empower it to afford equitable relief.

COMMITTEE TO EVALUATE SOUND RECORDING

This Committee of five judges and four attorneys is evaluating the present use of sound recording in the municipal, juvenile and domestic relations and district courts. The appointment of this Committee came in response to concerns voiced by the Bar regarding the quality and integrity of transcripts produced from sound recording. The Committee, chaired by Superior Court Judge Theodore Z. Davis, was charged with ascertaining whether there are problems with the present system of sound recording. The Committee is further responsible for identifying solutions to these problems should tney exist.

The Committee determined that its first step should be fact gathering. Questionnaires were designed and sent to all municipal court judges, county prosecutors and judges who regularly hear appeals from municipal court. The results of these questionnaires are being tabulated and will dictate whether further study is required.

It is anticipated that the Committee will complete its work by the spring of 1983.

STATEWIDE SPEEDY TRIAL COORDINATING COMMITTEE

Chief Justice Robert N. Wilentz is chairman of the Coordinating Committee, which includes judges, prosecutors and public defenders.

During 1982, the Statewide Speedy Trial Program entered its second year, and the goals for criminal cases were lowered from about eight months to six months for bailed cases. Jail cases are expected to reach disposition in three months.

In April, the Committee held a conference for the larger counties to discuss numerous issues relating to the program. The sense of the conference was that Speedy Trial goals were substantially being met, but that much still had to be done if the system were to fully realize program objectives. Subcommittees were formed to address specific issues.

The largest problem during the court year was a series of layoffs at the State Police Crime Laboratories. Reports of forensic examinations are needed before most cases can be disposed, and these layoffs resulted in an average turnaround time of from 15 to 73 working days. A number of administrative reforms were effected to alleviate the problem, and the Committee also coordinated an effort to avert further layoffs and restore some positions.

The post-indictment was substantially cleared in 1982, with dispositions exceeding filings by 2,700 cases. Much attention turned to the pre-indictment area, and to the need to revive efforts to ensure early defense representation, early application to PTI, and appropriate disposition of cases which do not require the full process of indictment and pretrial proceedings. It was further felt that much duplication and overlap resulted from lack of coordination of various system components at this point. The evaluation of several innovations such as central intake units, direct filing, and pre-indictment disposition conferences were conducted. This area is under further study by one of the subcommittees.

1982 was another strong year for Speedy Trial. Many innovations matured and became established as integral parts of case processing. Local planning committees continued to meet, and broadened their consideration to issues beyond Speedy Trial involving other areas. The average time from arrest to disposition was halved from what it was prior to the program. Much concern has been expressed about the dwindling resources in the face of increased resource needs by virtue of the passage of the death penalty and other mandatory sentencing legislation. It is this concern that the Statewide Speedy Trial Coordinating Committee is addressing currently, and which will need to be resolved before the State can reach its ultimate goals.

MUNICIPAL COURT COMMITTEE

The Municipal Court Committee, chaired by Superior Court Judge Sidney Reiss, is a standing committee of the Supreme Court responsible for reviewing rules and procedures in the municipal courts.

During the court year, the Committee made the following recommendations, which are under review by the Supreme Court:

- That plea bargaining be permitted in the municipal courts within certain quidelines
- That Rule 4:70-4a be amended to increase from $20 to $50 the statutory penalties payable through the Violations Bureau
- That legislation be considered to require all municipal governing bodies to provide for and appoint municipal prosecutors to appear at all sessions of the municipal court

SUPREME COURT COMMITTEE ON ATTORNEY DISCIPLINARY STRUCTURE

The Supreme Court Committee on Attorney Disciplinary Structure, chaired by retired New Jersey Supreme Court Justice Mark A. Sullivan, was charged with the responsibility of reviewing and reassessing the entire attorney ethics and fee arbitration mechanisms.

The Committee met jointly with representatives of the New Jersey Bar Association and also had the benefit of an on-site evaluation conducted by a team of experts from the American Bar Association. The major important recommendations made to the Supreme Court by the Committee were:

- .The creation of a centralized Office of Attorney Ethics to to substantially assist in the prosecution of ethics matters;
- .The continuation of District Ethics Committees staffed by volunteer lawyers and pubic members to initially process complaints and to adjudicate all formal matters; and
- .The annual assessment of all members of the bar in order to finance the new system.

Under this recommended system, staff of Ethics and Professional Services working on ethics functions would be reconstituted as the Office of Attorney Ethics under the authority of the Supreme Court's Disciplinary Review Board and would be responsible for the ethics and fee arbitration committees as well as the supervision of the Random Audit Program. Other present functions not directly related to the attorney disciplinary system would remain with the Administrative Office of the Courts. The issue of whether local ethics committees would continue to perform any investigative and prosecutorial function is under review by the Supreme Court.

SUPREME COURT TASK FORCE ON MENTAL COMMITMENTS

The Task Force on Mental Commitments, chaired by Superior Court Judge Virginia Long, is charged with addressing all aspects of the courts' role in the mental commitment process. The Task Force is conducting a comprehensive evaluation of the way in which courts manage and hear involuntary civil commitment cases pursuant to Rule 4:74-7. The Task Force is expected to make recommendations which will improve the process, with an emphasis on appropriate areas for uniformity.

Another major focus of the Task Force's work will be a narration of the types of training programs that are appropriate for judges and support staff who participate in these hearings. These training programs will be designed with a view toward making the court sensitive to the competing interests of the various agencies that share responsibilities for persons in mental institutions.

Finally, the Task Force is considering the issues associated with those patients who are not found to be committable but who, nonetheless, remain in mental institutions because they cannot be adequately placed in a more appropriate setting.

The membership of the Task Force includes representatives from the New Jersey Hospitals Association, New Jersey Association of Health Care Facilities, Department of Human Services, Attorney General's Office, Office of the Public Advocate, doctors from private and public hospitals, trial judges who have conducted these hearings and court support personnel.

The Task Force expects to submit its report to the Supreme Court in the Spring of 1983.

TASK FORCE ON THE SERVICE OF PROCESS IN THE DISTRICT COURTS

The Task Force on the Service of Process was charged with the evaluation of all aspects of service of process with a view toward making recommendations for efficiency and economy. The Task Force, chaired by Superior Court Judge Peter Ciolino was asked to reconcile the divergent practices among the counties with respect to how process is served and to make recommendations for uniformity. Members consisted of practicing attorneys, including legal services representatives, a certified public accountant, assignment judges, present and former presiding judges of the district court and court support staff.

The Task Force report submitted to the Court made numerous recommendations for improvement. These recommendations include:

- .A review of auditing requirements for persons who serve process. The proposals are designed to foster more accountability and to make the auditing information more reliable.

- .A design for experimentation for service by mail in the district courts.

- .Standardization of the employment status of constables. For example, the Task Force recommended that all persons hired in the future to serve process be full-time, non salaried and Rule 1:33-3(b) appointments. Further, the Task Force presented guidelines for the performance of these persons which include a narration of how process should be served and what members of the bar and the public can expect with respect to efforts made to locate the defendants in law suits.

Other Task Force recommendations included suggestions on how to improve the management of the county district courts in the area of monitoring service of process.

It is anticipated that many of the recommendations will be implemented in the coming court year.

COMMITTEE ON SENTENCING

The Committee, chaired by Appellate Judge James H. Coleman, Jr., is exploring the possible use of multi-judge panels in New Jersey as a means of promoting sentence consistency. It includes judges and criminal justice representatives.

The Committee is researching the use of multi-judge sentencing panels in other jurisdictions, and will make recommendations on the number, composition and location of such panels in New Jersey, identify the need for rule or authority changes, the impact on plea negotiations, the relationship of the panel to the trial judge, the appeal process, use of empirical data or other scientific information in sentencing and the fiscal impact. The Committee will report to the Supreme Court in early 1983.

COMMITTEE ON COMPUTERIZATION

The Committee, chaired by Justice Stewart Pollock, was appointed in response to early findings of the Supreme Court Committee on Efficiency regarding the potential for efficiency in coordinated and expanded use of automated systems in the trial courts. The committee is reviewing existing State or county funded automated systems in all courts and the Administrative Office of the Courts and has contracted with the Center for State Courts for technical assistance in the development of a Judicial Computer Master Plan. The committee report and the Master Plan is expected to be completed in early 1983.

FAMILY COURT COMMITTEE

The 41-member Family Court Committee is developing court implementation of new juvenile justice laws that go into effect September, 1983, and planning for the possible creation in 1983 of a Family Part of the Superior Court.

The Committee, headed by Associate Justice Daniel O'Hern, includes former Associate Justice Morris Pashman, judges, lawyers and social service, law enforcement and community representatives.

The Committee is focusing on ten major issues including how 24-hour county family crisis intervention units will operate and procedures for juvenile/family crisis court hearings, both of which are required under the new juvenile laws, the use of mediation in family cases, and review of proposed structures for a Family Part of Superior Court. Creation of the Family Part is pending in the Legislature as a Constitutional Amendment to be placed on the ballot in November of 1983. A proposed structure, developed by a group of judges, headed by Justice Pashman, is being reviewed by the Committee.

The Family Court Committee will report to the Supreme Court in the spring of 1983 and its report and recommendations will be the topic of the 1983 Judicial Conference in June.

COMMITTEE TO EVALUATE Rule 4:21 (MEDICAL MALPRACTICE PANEL)

The Committee to Evaluate Rule 4:21 was appointed to develop further information on the effectiveness of the rule, which requires that medical malpractice cases involving a physician as a defendant must be sent to a medical malpractice panel. That panel, composed of a designated trial judge, a medical specialist and an attorney, is charged with making a finding as to whether there is reasonable basis for a claim. In the event that the finding is unanimous, it is admissible at trial. To assist the Court in its evaluation of Rule 4:21, the Chief Justice requested the Committee to provide in-depth statistical information on medical malpractice cases filed prior to the effective date of the rule. He urged that a broad cross-section of the bar and the medical profession be polled for for their views.

The additional information requested by the Chief Justice was to supplement the 1982 Report of the Committee on Relations with the Medical Profession which recommended retention of the mandatory medical malpractice panel procedure, with reservations. Those reservations included the lack of definitive data which demonstrates that mandatory panel procedure facilitates a disposition of a case. The Chief Justice asked the Committee to do an in-depth analysis of the timing and manner of disposition of malpractice cases filed in the mid-70's and which were not subject to a mandatory panel.

The Committee, chaired by Superior Court Judge Edward S. Miller, includes trial judges, practicing attorneys and physicians who have served on several panels. The Committee is expected to submit its report to the Court early in 1983.

SUPREME COURT ADVISORY COMMITTEE ON BAR ADMISSIONS

The Supreme Court Advisory Committee on Bar Admissions was established during the past year to evaluate the following and report to the Supreme Court on its findings: admission to the New Jersey Bar on motion, without examination, by practicing attorneys from other jurisdictions; the Resolution Relative to Amending the Skills Training Course of the Young Lawyers' Division of the New Jersey State Bar Association; salaries of the Bar Examiners and Readers; and the feasibility of

relaxation of the requirement of graduation from an American Bar Association accredited law school. Also during the year, discussions took place concerning preparation of an affirmative action statement on the role of the Committee on Character, which determines the fitness to practice law of each candidate for admission to the New Jersey Bar on the basis of personal record and reputation.

Juvenile and Domestic Relations Court Judge Florence R. Peskoe is Chairman of the Committee which expects to submit its report to the Supreme Court in the Spring of 1983.

TASK FORCE ON WOMEN IN THE COURTS

The 26-member Task Force on Women in the Courts was appointed by Chief Justice Robert N. Wilentz to investigate the extent to which gender bias exists in the New Jersey judicial branch, and to develop an educational program to eliminate any such bias.

The Task Force, headed by Superior Court Judge Marilyn Loftus, will present its findings and an educational program to all State court judges at the opening session of the 1983 Annual Judicial College. The Task Force includes male and female judges, lawyers, law school professors, a sociologist and a women's group representative, and a county prosecutor.

"We want to make sure, in both substance and procedure, that there is no discrimination whatsoever against women — whether they are jurors, witnesses, judges, lawyers, law clerks or litigants," said the Chief Justice. "Obviously, bias of any kind has no place in the judiciary."

The Task Force is surveying male and female court personnel, lawyers and citizens who have been involved in court proceedings about their perception of gender bias in the system. On the basis of the surveys, the Task Force will focus on specific areas. The Task Force efforts will be documented with statistical research and data.

EVIDENCE RULES COMMITTEE

The Committee, chaired by Superior Court Judge Theodore I. Botter, was appointed to review the present New Jersey Rules of Evidence and to consider the adaptation of the Federal Rules of Evidence to state practice. The Committee expects to issue its report in 1983 containing recommendations to the Supreme Court.

COMMITTEE ON OPINIONS

Under Rule 1:36-2, the Chief Justice appoints a Committee on Opinions, which currently consists of Justice Alan B. Handler, retired Judge (Appellate Division) Sidney Goldmann, and retired Justice Haydn Proctor.

The Committee reviews all formal written opinions except those of the Supreme Court (and those Appellate Division opinions decided by two judges, rather than the usual three-judge part), and determines which should be published. Each opinion is reviewed by each member of the Committee, individually, and a majority vote determines which shall be approved for publication. The Supreme Court sets appropriate standards to guide the Committee in determining which should be approved for publication.

The statistical report of the Committee on Opinions appears on the following page.

REPORT OF THE COMMITTEE ON OPINIONS 1980 - 1982

BEGINNING COURT YEAR TO SEPTEMBER 3, 1982	Court Year 1981-82	Court Year 1980-81	Court Year 1979-80
Opinions Reviewed by Committee:			
Appellate Div. (3-judge)	964	987	2,530
Appellate Div. (2-judge)	28		
Trial Courts	378	382	431
TOTAL	1,370	1,369	2,961
Opinions Approved for Publication:			
Appellate Div. (3-judge)	219)	268 (27.2%)	284 (11.2%)
Appellate Div. (2-judge)*	18) (23.9%)		
Trial Courts	152 (40.2%)	109 (28.5%)	118 (27.4%)
TOTAL	389 (28.4%)	377 (27.5%)	402 (13.6%)
Total Opinions Published:			
Supreme Court	120	101	109
Appellate Division	237	268	284
Trial Courts	152	109	118
TOTAL	509	478	511

* The Committee on Opinions can publish two-judge opinions only in cases where the opinion below is published, or if specifically recommended for publication by the Part with approval of the Presiding Judge for Administration.

APPELLATE COURTS

SUPREME COURT

The Supreme Court sits at the apex of New Jersey's judicial hierarchy. Its seven members are appointed for seven-year terms and, upon reappointment, serve until age 70.

Cases arrive at the Supreme Court by way of direct appeals, petitions for certification, interlocutory applications and, in a very few instances, petitions for the exercise of original jurisdiction.

The Supreme Court's authority extends to the rules of practice and the admission and discipline of attorneys. In that regard, it serves as the ultimate arbiter in disciplinary matters.

JURISDICTION

1) Appeals as of Right

Appeals to the Supreme Court are permitted, as of right, in limited circumstances. There must be a substantial constitutional question not previously passed upon by an appellate court, a dissent in the Appellate Division, or an imposition of the death penalty to invoke the Court's appeal jurisdiction.

The Rules of Court limit appeals based on dissents to the issues raised in the dissenting opinion. This often results in matters having appeals, as of right, only as to part of a case.

The death penalty statute was not used in any convictions secured during the 1982 term. When such a penalty is imposed, the defendant will have the right to appeal directly to the Supreme Court, bypassing normal Appellate Division review.

The overwhelming majority of cases in which an appeal as of right is filed claim the presence of substantial constitutional questions. Of the 144 appeals dismissed by the Court in 1982, most were handled in a summary manner because the Court found no substantial questions within the meaning of the rule and relevant case law.

The substantial increase of 136% (70 to 165) in the filing of notices of appeal as of right can be explained by a recent United States District Court decision that the federal courts would hear only those questions that had been appealed to the Supreme Court of New Jersey. Petitioning for certification is insufficient under this opinion.

The Public Defender filed 56 notices of appeal in the 1982 term. Most were filed in response to the federal court opinion. All such notices were dismissed summarily under Rule 2:12-9 upon the denial of certification.

2) Petitions for Certification

Most of the parties seeking Supreme Court review of final judgments of the Appellate Division do so by petitioning for certification. Certification will be granted only if: 1) the case involves a matter of general public importance that has not been, but should be, settled by Court; 2) the question is similar to one already on appeal; 3) the decision below conflicts with another appellate decision or calls for the general supervisory powers of the Court; or 4) the interest of justice requires it.

The requirements for the grant of certification are applied strictly by the Supreme Court. Consistent with the experience of prior years, certification was granted in 11% of the cases presented to the Court.

3) Motions and Other Applications

The Supreme Court disposed of nearly 1,700 motions during the 1982 term. These applications covered a wide range of subjects. The most frequently filed motions involved requests for leave to appeal, for

stays, for extension of time and for direct certification. In addition to litigated matters, the interlocutory application category includes petitions filed in bar admission matters. Over 600 such applications were disposed of in the 1982 term.

4) Attorney Discipline

The Supreme Court reviews decisions and recommendations of the Disciplinary Review Board. That Board, in turn, reviews the actions taken by the various district ethics committees.

In 1982, the Supreme Court disposed of 91 disciplinary matters, up 34% from 1981. Of these dispositions, 62 resulted in the imposition of sanctions, six were restorations to the practice of law, and the balance included miscellaneous applications.

FILINGS AND DISPOSITIONS

Case filings (appeals, certifications, motions and disciplinaries) increased by 285 in 1982 for a combined total of 2,967. At the same time, overall dispositions for the term amounted to 3,030, an increase of 465 from the previous year. The table below demonstrates that the Supreme Court has been subject to the same pressures of increasing workload as the rest of the court system.

FILINGS & DISPOSITIONS

1978-1982

	1978	1979	1980	1981	1982
Appeals					
filed	193	214	232	216	298
disposed of	218	243	223	216	288
Certifications					
filed	866	931	979	986	995
disposed of	698	975	1,075	915	972
Motions					
filed	1,129	1,348	1,353	1,409	1,590
disposed of	1,070	1,343	1,384	1,366	1,679
Disciplinaries					
filed	64	84	57	71	84
disposed of	66	94	54	68	91
Total					
filed	2,252	2,577	2,621	2,682	2,967
diposed of	2,052	2,655	2,736	2,565	3,030

All categories in the Court's caseload increased in 1981. Certifications and motions continue to lead all categories in filings and dispositions. Modifications in bar admission procedures in September 1981 reduced motions in that area, but the pressures of appellate review of final judgments continue to grow.

The steady addition of more certification filings since 1978 can generally by ascribed to the number of Appellate Division dispositions from which they come. The percentage of petitions for certifications, as a percentage of Appellate Division dispositions, has remained relatively steady for the past five years except for a 2% decrease in 1979 brought about by the institution of an administrative dismissal procedure in the Appellate Division under which hundreds of inactive cases were dismissed with few calls for review by the Supreme Court. The percentage of dispositions that generated certification requests in 1982 was 18.3%, well within the range of experience over the past five years.

PETITIONS FOR CERTIFICATION
OF APPELLATE DIVISION DISPOSITIONS
1978 - 1982

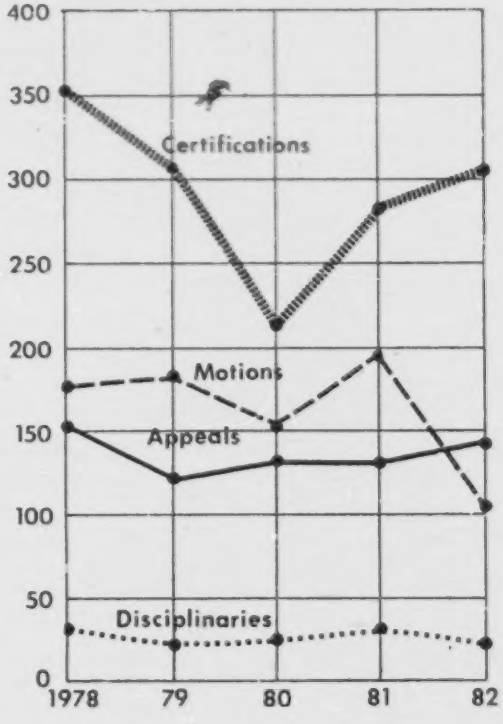
	Appellate Division Dispositions	Petitions for Certification	%
1978	4,754	866	18.2%
1979	5,634	931	16.5%
1980	5,431	979	18.0%
1981	5,001	986	19.7%
1982	5,423	995	18.3%

PENDING CASES

Pending cases before the Supreme Court rose in two of four categories. There was an increase of 23 petitions for certification, leaving a total of 305 pending. Pending appeals at the end of the 1982 Court term numbered 141, up 10, an increase of 8% from 1981. Disciplinaries decreased by 7, to 21. Motions pending dropped 45% from 195 to 106.

The graph below shows that the number of appeals and disciplinaries has been rather steady. It also points up the results of the increasing number of motions filed in recent years. Finally, it graphically displays the wide fluctuations in the number of petitions for certification that remain on hand in a given year. Much of the pending certifications category consists of matters filed in the summer months while the Court is in recess.

CASES PENDING 1978 - 1982



OPINIONS FILED

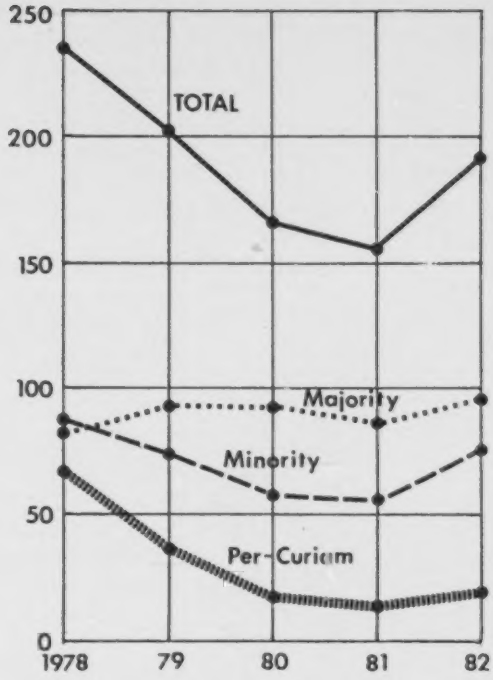
While considerable time and effort is expended on discretionary review matters, the opinions of the Court remain its most visible work. The Court, under the direction of the Chief Justice, discusses each case first before it is argued and then again at the conference following oral arguments. Opinion assignment is made by the Chief Justice if the Court is unanimous or if the Chief Justice is in the majority. In cases where the Chief Justice does not participate or is one of the members in the minority, the opinion is assigned by the senior Justice voting with the majority.

Although upward of 20 opinions may be in circulation at any given time, each Justice must be fully conversant with every opinion before the court, whether a first or a final draft. Circulating opinions hold the highest priority at Court conferences and every effort is made to insure that the decisions of the Court are truly collegial in nature.

In 1982, the Supreme Court filed 191 opinions (majority, minority and per curiam), deciding 141 appeals and 16 disciplinaries. The number of signed majority opinions increased in 1982 by 9 to 95. Minority opinions also increased in 1982 by 21 to 76. The balance of the opinions filed were per curiam.

A comparison of five years' opinions filings (see chart below) shows that the production of majority opinions has remained relatively constant while the number of minority decisions has fluctuated greatly.

OPINIONS FILED 1978 - 1982



TIME TO DECISION

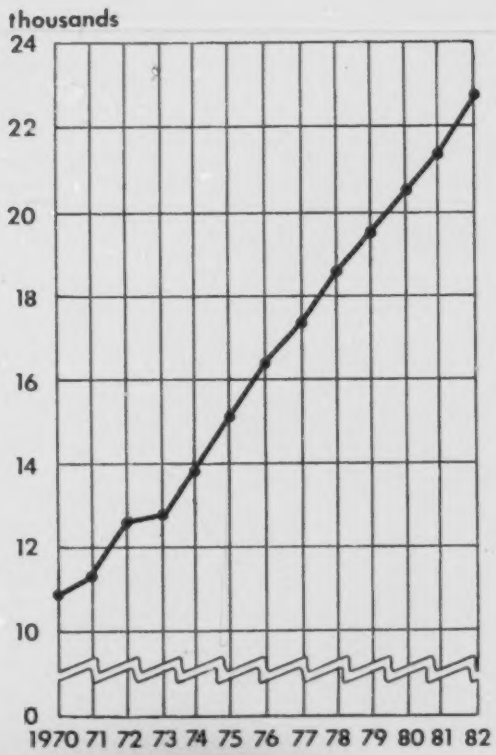
More difficult to answer than the question of what the Court decides is "how long" it takes to make that decision. Any given case can be disposed of promptly if there is a consensus on the part of the members of the Court involved. However, the decision process in a multi-member court does not, if truly collegial determinations are sought, lend itself to the immediate generation of full opinions in many cases. The complexity of the case and divergent views about the legal issues can combine to seriously affect the timing of an disposition. Nonetheless, the time it takes from the date of argument to the date of decision in the Supreme Court has remained fairly constant over the last five years. The median time of four months and 11 days in 1982 falls slightly above the averages for 1978-80.

PROFESSIONAL RESPONSIBILITY

The Supreme Court has constitutional responsibilty for the integrity of the legal profession and the Judiciary. It exercises this responsibility through a number of offices, including the Division of Ethics and Professional Services (DEPS) in the Administrative Office of the Courts. The increased work of this Division is a reflection not only of the growing number of attorneys in New Jersey but also of rising public demands for high ethical standards and accountability.

The decade of the seventies produced a very large increase in the attorney population in New Jersey. In 1969 there were 10,348 members of the bar admitted to practice. That figure more than doubled by the end of calendar year 1982 when the total attorney population reached 22,071.

NUMBER OF ATTORNEYS
1970 - 1982



ADMISSION TO THE BAR

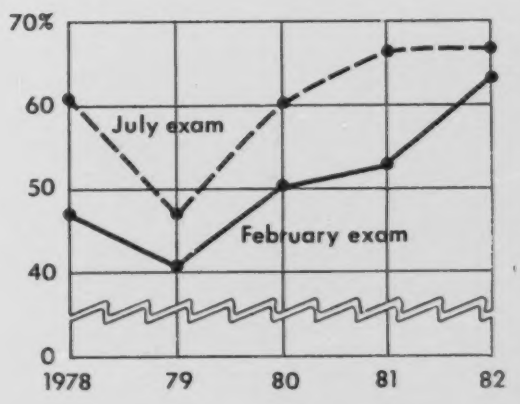
Lawyers are admitted to the bar of New Jersey only after taking a bar examination. The New Jersey examination is given in February and July to coincide with the national administration of the Multistate Bar Examination. The essay examination is prepared and graded by the Board of Bar Examiners and administered by the Clerk of the Supreme Court serving in his capacity as Secretary to the Board and his staff.

Performance on the bar examinations has continued to improve over the 1979 results that were the poorest since 1962. The February passing rate increased from 53% in 1981 to 63% in 1982. The July rate remained the same 67% in 1982 as it was in 1981.

Passing rates for summer examinations have normally been higher because the majority of law students graduate in June and more individuals who were unsuccessful on a prior bar examination take the winter examination. The likelihood of passing declines the more often the examination is taken.

New Jersey law school graduates continue to perform better on the bar examination than those educated in other jurisdictions.

BAR EXAMINATION - PASSAGE RATE
1978 - 1982



The Supreme Court's committee to Evaluate Bar Admission Requirements reported to the Court in 1981. Based on this report the Court adopted significant changes in the bar examination. Each candidate now has to pass both the Multistate Bar Examination and the New Jersey essay questions. The scoring scale of the essay has been greatly simplified. The questions have been shortened and the design for the questions will be more varied. The success of these variations will be reviewed by the Advisory Committee on Bar Admissions.

The Board of Bar Examiners has been granted permission to use consultants to aid them in maintaining the integrity of the bar examination. The February and July 1982 examinations were closely monitored for fairness and effectiveness. All candidates for admission to the bar now have to complete the skills and methods course before admission; they also have to complete the Multistate Professional Responsibility Examination successfully or submit evidence of the satisfactory completion of a law school course in legal ethics.

TRIAL ATTORNEY CERTIFICATION

The goals of the trial attorney certification program are to improve the quality of trial advocacy and to inform the consumer about those members of the bar who have achieved a certain level of skill, knowledge, and experience in trial representation.

The Board, appointed in 1979, developed program regulations and begin accepting applications in late 1980. A total of 415 attorneys were found to be eligible to take the seperate criminal and civil examinations, based on their applications. The 14-page application requests, for example, references from members of the bar who can attest to the applicant's skill as a trial advocate, detailed information on 10 cases tried, courses in trial practice or programs taken or taught within three years of the application date, and speeches, published articles and professional committee work in the trial advocacy area.

A total of 147 took the examination, 32 in criminal and 115 in civil, in September 1982. Of that total, approximately 90% received certification. In future years, the examinations will be conducted each September.

Board certification is for seven years, after which the attorney must seek recertification.

SUPERIOR COURT, APPELLATE DIVISION

The Appellate Division of Superior Court is the intermediate appellate court. The state Constitution provides a right of appeal to the Appellate Division from the Law and Chancery Divisions of the Superior Court. A number of statutes allow appeals from county district courts, the Juvenile and Domestic Relations Court and the Tax Court. Finally, there is a right of appeal from final orders and decisions of state agencies.

The appeals from all those sources are decided by 21 Appellate Division Judges. The Chief Justice chooses each Appellate Division judge from one of the trial divisions of the Superior Court. Once appointed, most Appellate Division judges stay on the Appellate Division for the rest of their careers.

The 21 judges sit in panels, or "parts," of three judges each. Each part is administered by a presiding judge. The composition of the parts changes each year. A presiding judge for administration acts as the administrator for the entire Appellate Division; traditionally, this has been the most senior Appellate Division judge.

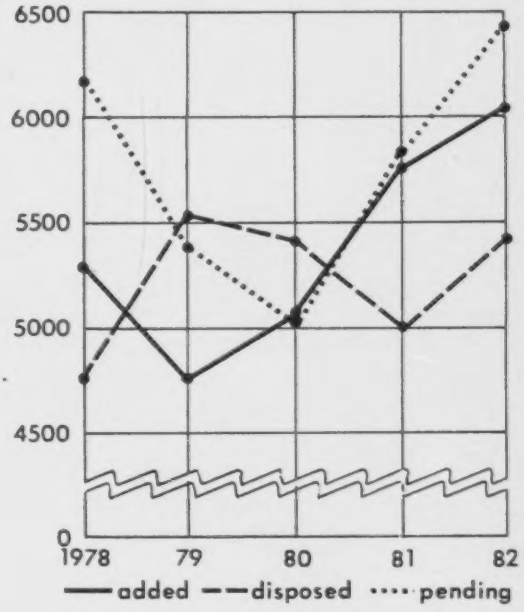
Each part is scheduled to sit 31 times each court year. The calendar for each sitting consists of at least 15 appeals; occasionally a part considers as many as 19 appeals at a sitting. The cases are rated by the presiding judge of each part for difficulty and then decided by either two or three judges.

Appeals are submitted to the court without argument unless one of the parties requests argument or the court orders it. After argument, or submission without argument, the judges research, discuss and decide each case and eventually issue a written opinion.

Besides the calendared cases, the court decides thousands of motions and emergent applications. During the summer, only one part is assigned to sit each week and the court decides only criminal cases and an occasional urgent civil case.

CASELOAD

In the 1981-1982 court year, 6,038 appeals were filed, compared to 5,813 the previous year. Cases disposed totaled 5,423, compared to 5,001 the previous year. A total of 6,460 cases were pending at the end of the year, compared to 5,845 the previous year. The following chart shows the five-year trend.



SOURCES OF APPEAL

As in each of the past five years, most of the appeals decided during the court year came from the trial divisions of Superior Court. The Law Division produced 67% (4,072) and the Chancery Division 11% (451) of the appeals decided. Appeals from State agencies represented 11%, from Juvenile and Domestic Relations 3%, from District Court 2%, from Tax Court 2%, with the remainder from other sources.

METHOD OF DISPOSITION

The largest number of appeals are disposed of, after submission or argument, by written decisions on the merits. Some are decided on summary disposition motions. Many are dismissed before calendaring, either because they are settled or because the parties fail to abide by the rules of court. A few cases are always directly certified to the Supreme Court.

The following is a breakdown of terminations in the 1981-1982 court year:

TERMINATIONS

Written Opinion	3,529
Summary Disposition	543
Direct Certification to the Supreme Court	9
	4,081

ISSUES RAISED ON APPEAL

The Administrative Office of the Courts has long kept statistics on the 60 issues most commonly raised on appeal. This year, there is a slight change in the ten issues most frequently raised. During the last five years, the issue most frequently raised was that a judge or state agency had made erroneous fact findings. The second most common issue was that a defendant had received an excessive sentence.

This year, those two top categories were reversed: 28.1% of all appeals alleged excessiveness of sentence (1,142 appeals) and 21.3% charged erroneous fact findings (868 appeals).

Of the eight remaining top ten issues, seven were the same as they had been for the past five years. This year, though, the allegation that evidence was insufficient to support a jury verdict was not one of the ten most commonly raised issues; error in a search and seizure replaced it. The following chart shows the ten most commonly raised issues in the 1982 court year.

ISSUES RAISED ON APPEAL

	TIMES RAISED ON APPEAL	% OF APPEALS INVOLVING ISSUE
Excessive Sentence	1,142	28.0%
Judge or Agency's Fact Finding Unsupported by Evidence	868	21.3%
Erroneous Ruling on Admitting or Excluding Evidence	627	15.4%
Erroneous Statutory Interpretation	538	13.2%
Erroneous Application of Law	421	10.3%
Error in Imposing, Failing to Impose, Computing Interest, Damages, Penalty, Award, Assessment	379	9.3%
Abuse of Discretion	337	8.2%
Erroneous Jury Charge	274	7.7%
Denial of Due Process	231	6.6%
Illegal Search and Seizure	208	5.1%

REVERSAL RATE

Of the appeals decided by the court, the reversal rate was essentially the same as it had been for the past five years: 32% of all civil appeals and 15% of all criminal appeals. The following chart shows the reversal rate for the past five years:

SUCCESS RATE OF ISSUES

There is a vast difference in the success rate of various issues raised on appeal. The following chart shows the ten most successful issues, in terms of the percentage of times each issue resulted in reversal in those cases in which the issue was raised.

REVERSALS
1978-82

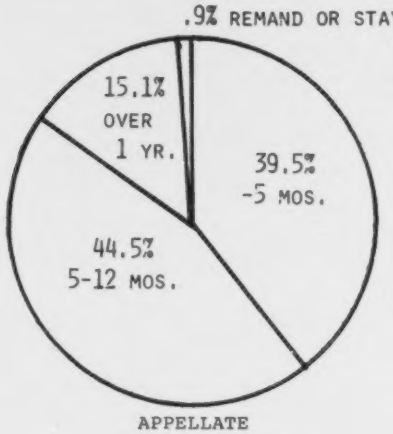
COURT YEAR	NUMBER OF CASES REVERSALS		% OF CASES REVERSED	
	Civil	Criminal	Civil	Criminal
1978	580	261	33.8%	19.8%
1979	587	268	30.4%	17.9%
1980	624	283	31.6%	16.1%
1981	652	247	31.7%	14.6%
1982	643	313	32.0%	15.0%

SUCCESS RATE OF ISSUES

ISSUES RAISED	TIMES RAISED ON APPEAL	% OF TOTAL APPEAL	NO. OF REVERSALS ON GROUND	% OF REVERSALS ON GROUND
Refusal to Remit Bail Forfeiture	15	.37%	12	80.00%
Improper Entry of Judgment or Improper Judgment	17	.42%	12	70.59%
Plenary Hearing Needed	157	3.86%	108	68.79%
Legal Search and Seizure (Raised by State)	58	1.42%	37	63.79%
Error in Order or Refusing to Submit to Arbitration	13	.32%	6	46.15%
Illegal Sentence	109	2.68%	45	41.28%
Erroneous Ruling on Sufficiency of Pleading	3	.07%	1	33.33%
Merger	55	1.35%	18	32.73%

AGES OF PENDING CASES

At the end of the current court year only 15% were more than a year old, a substantial improvement over the 31% figure of 5 years ago.



APPELLATE

AGE OF PENDING CASES

MOTIONS

Besides the 5,423 cases disposed of this court year, the Appellate Division decided 4,917 motions as compared with 4,740 motions the year before.

MOTIONS DECIDED
1978-82

COURT YEAR	MOTIONS FILED	MOTIONS DECIDED
1978	4,593	4,749
1979	5,596	5,321
1980	5,680	5,556
1981	4,840	4,740
1982	5,128	4,917

NEW PROGRAMS

Two significant new programs were in operation throughout the 1982 court year: The Appellate Settlement Program and the Summary Disposition Procedure.

The Appellate Settlement Program is run by the Honorable Baruch S. Seidman, who retired last year from the Appellate Division. With the help of the Appellate Division Clerk's Staff, Judge Seidman selects cases likely to be amenable to settlement, and meets with counsel. The program has had a remarkable settlement rate of 40% of the cases selected, thereby relieving the Appellate Division of the obligation to consider and decide the cases.

The Summary Disposition Procedure allows the court to consider simple cases before a full record has been submitted. This year there were 543 cases disposed of by summary disposition.

These two innovative programs will undoubtedly have an impact in the Appellate Division's caseload in the coming years.

TIME TO DECISION

In the 1982 court year the median time for an appeal to go from an appealable trial court judgment to decision in the Appellate Division was 433 days (14 months, 13 days). It took 391 days (13 months, 1 day) from notice of appeal to decision, which is exactly one week less than in the previous year.

Generally, a civil case moves faster than a criminal one. In the 1981-1982 court year the median time from notice of appeal to Appellate Division decision in a civil case was 376 days. In a criminal case, the time to decision was 438 days.

That difference is accounted for primarily by longer time frames in the early stages of the appellate process. For example, the filing time is 15 days longer in a criminal case for the notice of appeal. Criminal transcripts are filed later and so are the briefs.

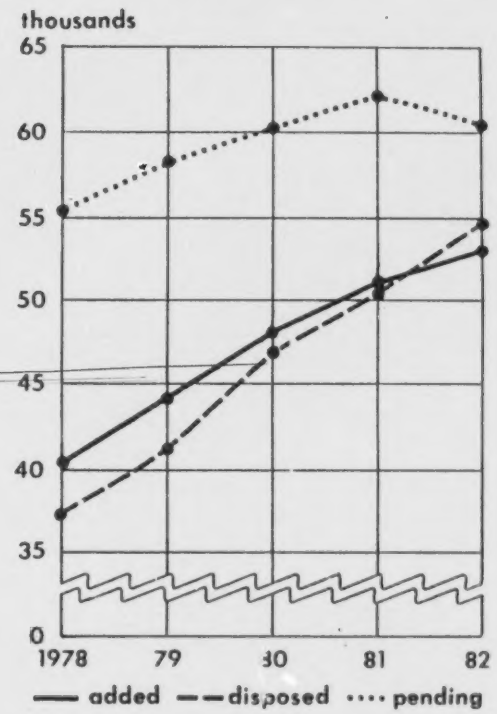
TRIAL COURTS of General Jurisdiction

CIVIL

The Civil Part of the Law Division of Superior Court hears cases such as contract and tort claims exceeding $5,000 and other cases with a money judgements.

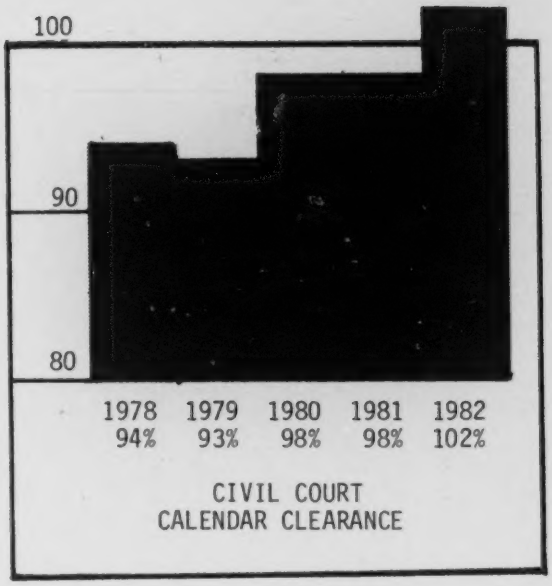
Cases added increased by 3.2%, a smaller rate of increase than in the previous year. The smaller rate of increase is due, at least in part, to the larger jurisdiction of the District Court, from $3,000 to $5,000.

CASELOAD TRENDS
1978-1982



TRENDS 1978-1982

- steady increases in case filings and dispositions
- cases added rose 33.3%
- dispositions rose 45.9%
- cases pending increased by 9.3%



The Civil Calendar cleared in 1982 for the first time since 1973.

1981-1982 STATISTICS

CASES ADDED

1981	1982	% Change
51,982	53,647	3.2

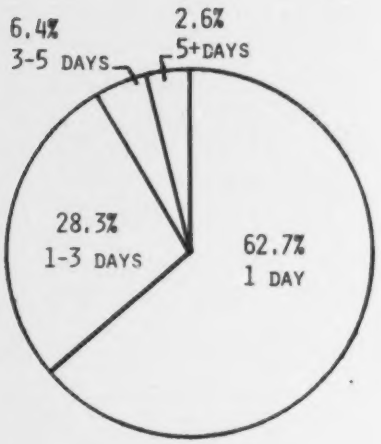
MOTIONS

	1981	1982	% Change
Number	94,469	78,202	-17.2
Per Disposition	1.9	1.4	-26.3

There has been a steady escalation in the number of motions during the past five years. Efforts to control this rise were successful during 1982.

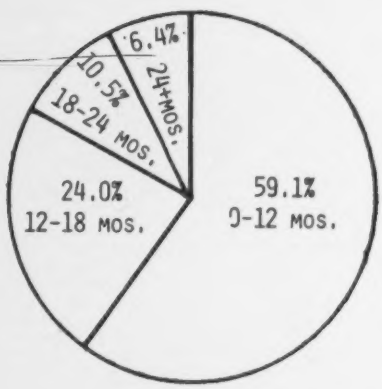
DISPOSITIONS

	1981	1982	% Change
Trials (partial & completed)	3,570	3,979	11.5
Settlements & Dismissals	46,103	49,882	8.2
Transfers to other courts	1,089	1,101	1.1
Total	50,762	54,962	8.3



CIVIL

TRIAL LENGTH



CIVIL

AGE OF PENDING CASES

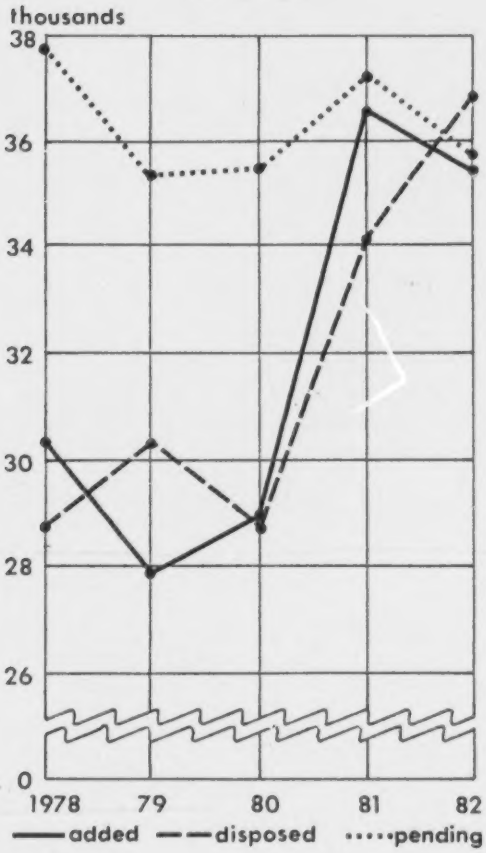
PENDING CASES

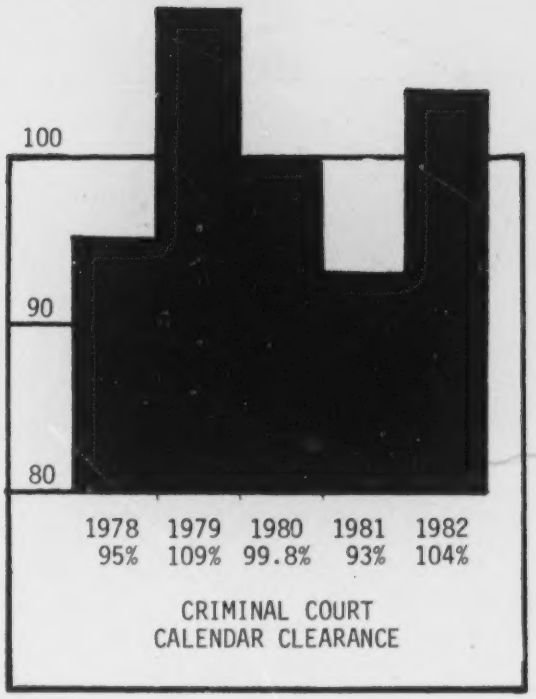
	1981	1982	% Change
Active	60,295	59,769	- 0.9
Inactive	1,784	995	-44.3
Total	62,079	60,764	- 2.1

CRIMINAL

The Criminal section of Superior Court, Law Division handles all indictments and accusations in criminal cases, following initial filing of the complaint in Municipal Court.

CASELOAD TRENDS
1978-1982





The Criminal calendar cleared, disposing of 4% more cases than were filed. This has occurred only 13 times in the last 35 years. Cases are counted based on the number of indictments and accusations.

Criminal

1981-1982 STATISTICS

CASES ADDED

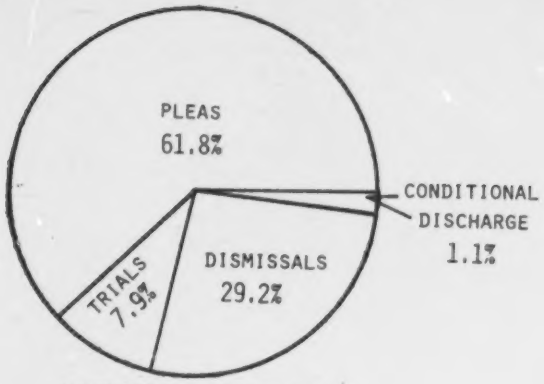
1981	1982	% Change
36,703	35,414	-3.5

TRENDS 1978 - 1982

- defendants have increased 17%
- dispositions increased 28.4%
- pending cases declined 5.4%

MOTIONS

	1981	1982
Contested	26,517	26,713
Uncontested	19,293	16,738
TOTAL	45,810	43,451
% Contested	57,9%	61.5%



CRIMINAL DISPOSITIONS

BY TYPE

DISPOSITIONS

	1981	1982	% Change
Convictions	1,633	1,825	11.8
Acquittals	1,123	1,081	-3.7
Guilty Pleas	20,928	22,842	9.1
Dismissals	10,250	10,794	5.3
Conditional Discharges	224	420	87.5
Total	34,158	36,962	8.2

CONVICTION RATE UPON TRIAL

Court Year	# Convictions	Conviction Rate
1982	1,825	62.8%
1981	1,633	59.3%
1980	1,542	58.8%
1979	1,585	53.6%
1978	1,743	56.3%

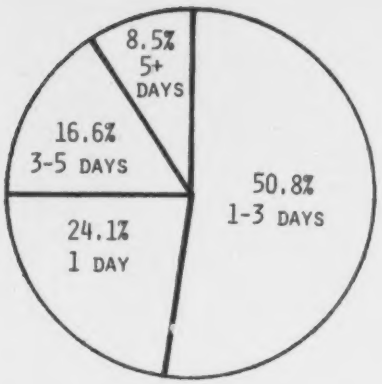
SENTENCING

	1981*	1982*	% Change
Persons sentenced	14,855	18,315	23.3%
Percent incarcerated	52%	51%	-1.0%
Percent with minimum parole ineligibility terms	27%	40%	13.0%

* Calendar year figures for sentencing under Title 2C.

HEARINGS

	1981	1982	% Change
Probation Violation	4,172	4,355	+ 4.4%
Extradition	796	779	- 2.1%
Mun. Ct. Appeals	2,615	2,991	+ 14.4%
Pre-Trial Conference	8,552	11,230	+ 31.3%
TOTAL	16,135	19,355	+ 20.0

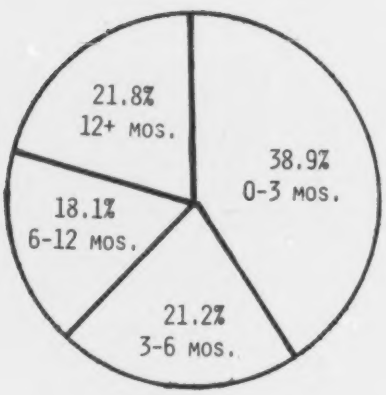


CRIMINAL

TRIAL LENGTH

TRIALS

	1981	1982	% change
Partial	434	296	-31.8
Completed	2,591	2,779	7.3
Total	3,025	3,075	1.7



CRIMINAL

AGE OF PENDING CASES

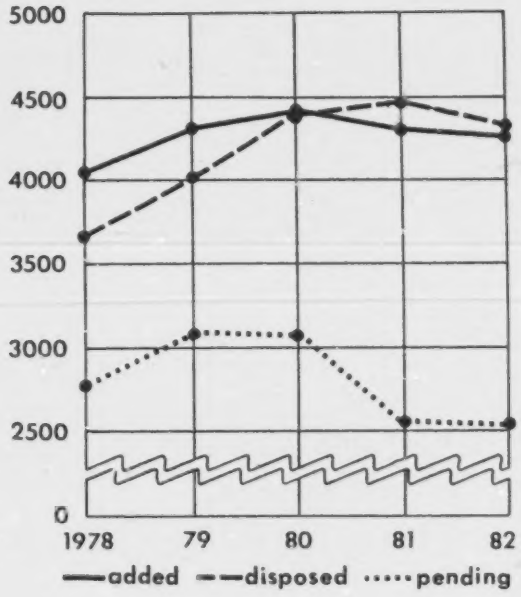
PENDING CASES

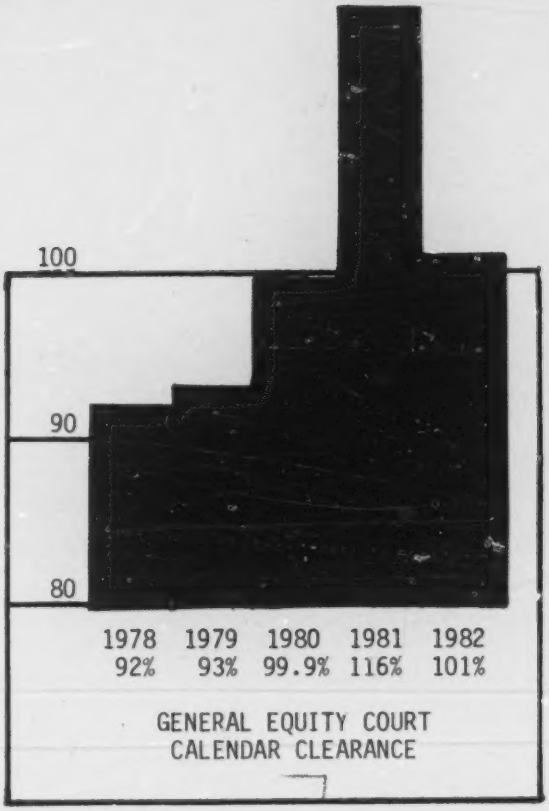
	1981	1982	% Change
Active	18,708	15,614	-16.5
Inactive	18,667	20,213	8.3
Total	37,667	35,827	-4.1

GENERAL EQUITY

The General Equity Part of the Superior Court, Chancery Division, hears cases involving relief other than, or in addition to, money. Examples include requests for injunctions forbidding certain alleged harmful conduct, specific performance of a contract, and rewriting or cancelling contracts.

CASELOAD TRENDS
1978-1982





The General Equity calendar cleared for the second consecutive year.

TRENDS 1978-1982

- cases added increased 6.7%
- dispositions rose 17.2%
- pending cases decreased 10.5%

1981-1982 STATISTICS

CASES ADDED

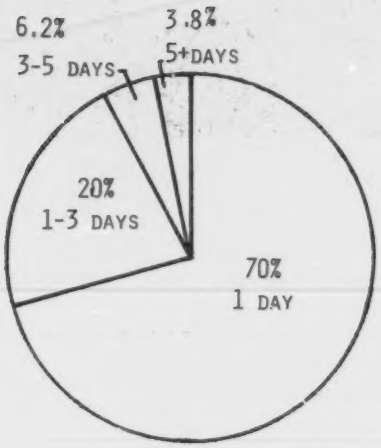
1981	1982	% Change
4,305	4,291	-.3

MOTIONS

	1981	1982	% Change
Number	8,783	8,952	1.9
Per Disposition	1.8	2.1	16.7

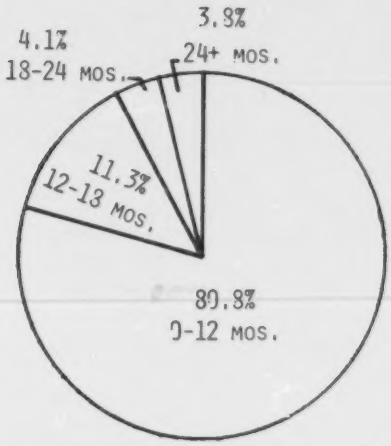
DISPOSITIONS

	1981	1982	% Change
Trials (partial & completed)	1,235	983	-20.4
Settlements	2,117	1,956	-7.6
Dismissals & Discontinuances	1,075	976	-9.2
Transfers & Consolidations	569	426	-25.1
Total	4,996	4,341	-13.1



GENERAL EQUITY

TRIAL LENGTH



GENERAL EQUITY

AGE OF PENDING CASES

Trials

	1981	1982	% Change
Partial	406	262	-35.5
Completed	829	721	-13.0

PENDING CASES

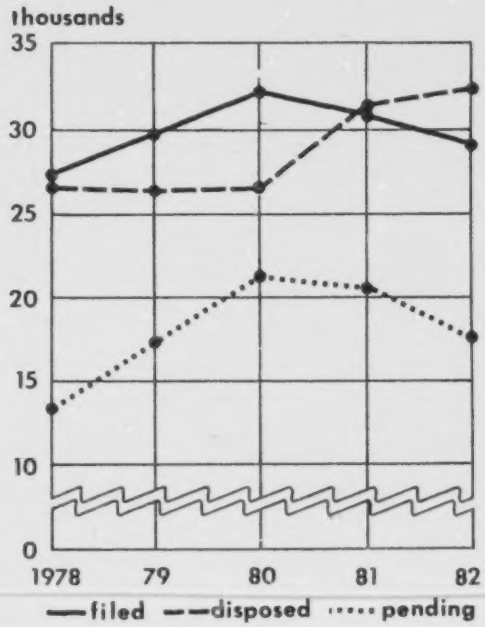
	1981	1982	% Change
Active	2,300	2,375	3.3
Inactive	273	148	-45.8
Total	2,573	2,523	-1.9

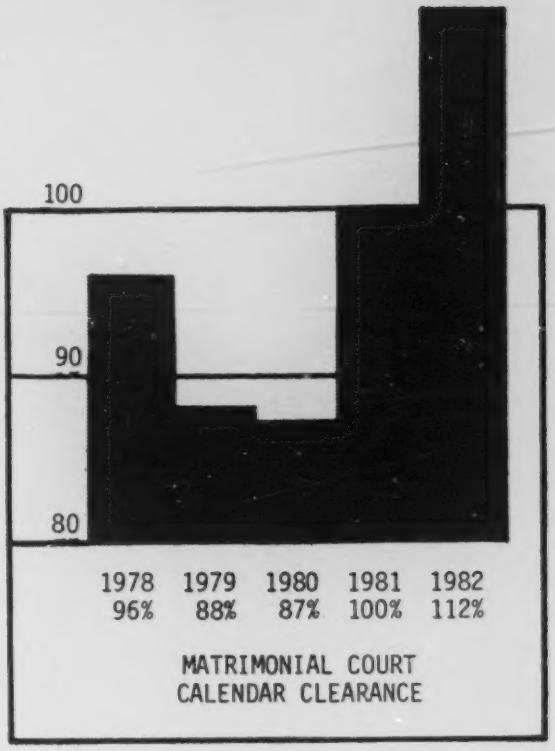
BEST AVAILABLE COPY

MATRIMONIAL

All matters related to divorce are handled by the Matrimonial Section of the Superior Court, including child custody, child support, alimony and equitable distribution of property.

CASELOAD TRENDS
1978-1982





The Matrimonial calendar cleared for the second consecutive year.

TRENDS 1978 - 1982

- cases added increased 6.7%
- disposition increased 24.5%
- pending cases increased 28.5%, but decreased in the last year.

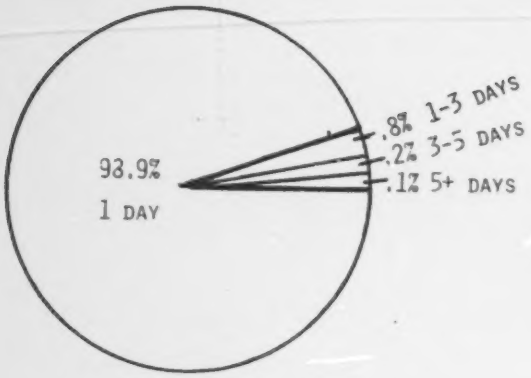
CASES ADDED

1981	1982	% Change
31,052	29,531	-4.9

Cases added decreased for the first time since 1978.

MOTIONS

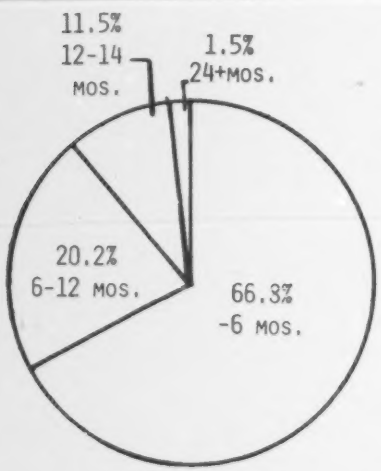
Motions	1981	1982	% Change
Number	31,411	26,594	-15.3
Per Disposition	1.0	.8	-20.0



MATRIMONIAL
HEARING LENGTH

DISPOSITIONS

	1981	1982	% Change
Total Hearings	29,637	31,035	4.7
Contested	12,232	12,849	5.0
Uncontested	17,405	18,849	4.5
Settlements	58	113	94.8
Dismissals and Transfers	1,451	1,832	26.3
Total	31,146	32,980	5.9



MATRIMONIAL

AGE OF PENDING CASES

PENDING CASES

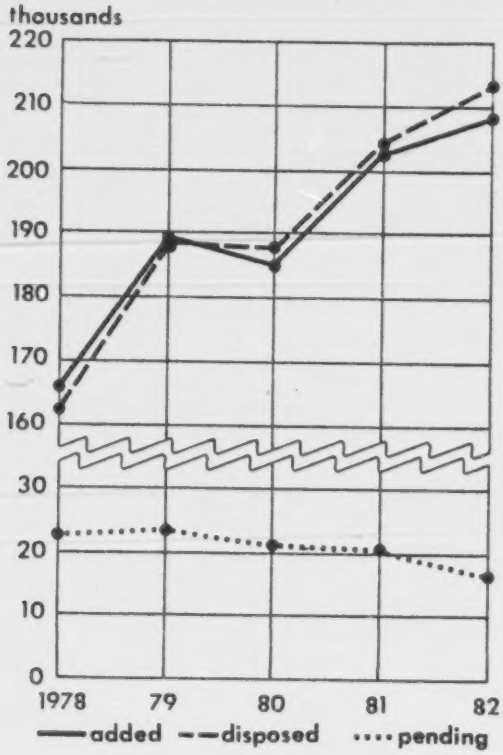
	1981	1982	% change
Active	20,939	17,498	-16.4
Inactive	36	28	-22.2
	20,975	17,526	-16.4

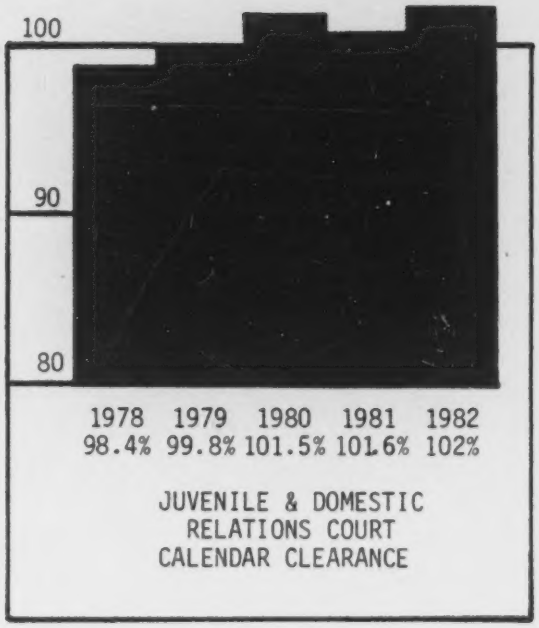
TRIAL COURTS of Limited Jurisdiction

JUVENILE & DOMESTIC RELATIONS

The Juvenile and Domestic Relations Court handles complaints of juvenile delinquency, juveniles in need of supervision(JINS) non-criminal child abuse and matters filed under the Child Placement Review Act. It also deals with child support, custody, visitation and paternity matters.

CASELOAD TRENDS
1978-1982





J&DR

The J&DR calendar cleared for the third consecutive year.

TRENDS 1978-1982

- cases added increased 25%
- dispositions increased 30.6%
- cases pending dropped 25.1%

1981-1982 STATISTICS

CASES ADDED

	1981	1982	% Change
Delinquency	101,124	98,213	-2.9
JINS	12,469	11,596	-7.0
Domestic Relations	90,347	99,047	9.6
Total	203,940	208,856	2.4

DISPOSITIONS

	1981	1982	% Change
Delinquency	101,388	101,793	.4
JINS	12,591	11,915	-5.4
Domestic Relations	91,172	99,326	8.9
Total	205,151	213,034	3.8

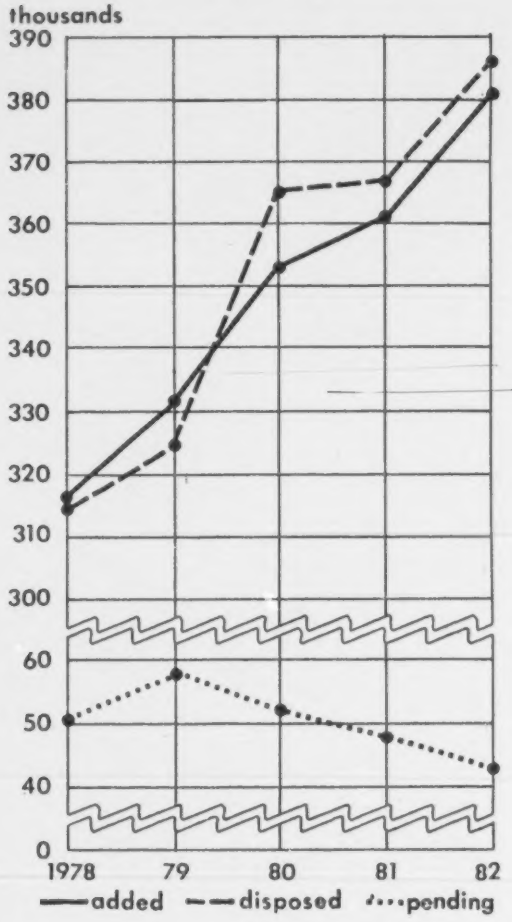
PENDING CASES

	1981	1982	% Change
Delinquency	13,562	9,982	-26.4
JINS	1,039	720	-30.7
Domestic Relations	6,056	5,777	-4.6
Total	20,657	16,479	-20.2

COUNTY DISTRICT COURT

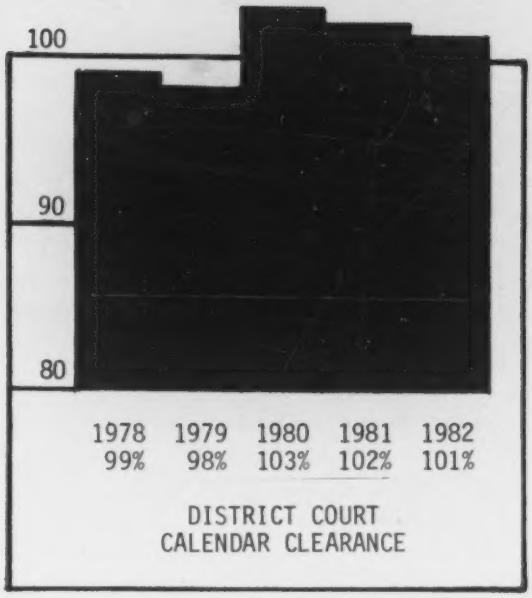
The County District Court handles contract and tort claims under $5,000, landlord/tenant disputes, and small claims matters under $1,000.

CASELOAD TRENDS
1978-1982



TRENDS 1978-1982

- Cases added increased 19.8%
- Dispositions increased 22.4%
- Pending cases declined by 16.1%



The County District Court cleared for the third consecutive year.

1981-1982 STATISTICS

CASES ADDED

1981	1982	% Change
360,941	380,735	5.5

This year's 5.5% rise in cases added is the second largest increase during the past five years. The raising of the jurisdictional limit from $3,000 to $5,000 in District Court and from $500 to $1,000 in the small claims division has probably contributed to this year's rise

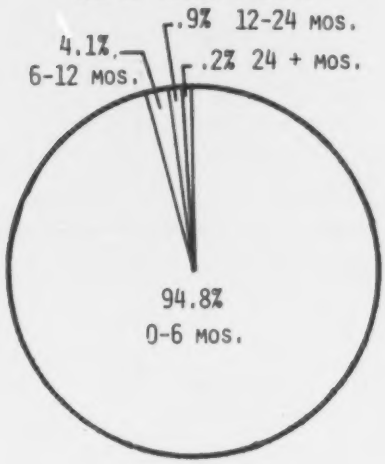
MOTIONS

Motions	1981	1982	% Change
Number	17,147	17,993	4.9
Per Disposition	.05	.05	0

DISPOSITIONS

	1981	1982	% Change
Automobile Negligence	13,526	12,984	-4.0
Other Tort	4,716	5,146	9.1
Contract	187,488	198,127	5.7
Small Claims	43,080	52,733	22.4
Tenancy	119,045	116,911	-1.8
Total	367,855	386,006	4.9

AGE OF PENDING CASES



PENDING CASES

	1981	1982	% Change
Active	48,475	43,204	-10.9
Inactive	0	0	0
Total	48,475	43,204	-10.9

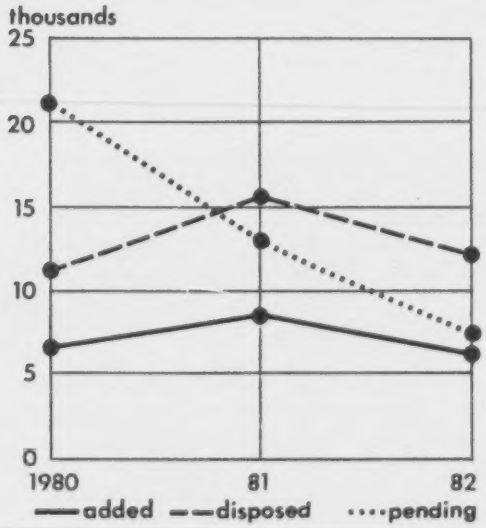
TAX COURT

This report is submitted to the Chief Justice of the Supreme Court of New Jersey and published as part of the Annual Report of the Administrative Director of the Courts pursuant to N.J.S.A. 2A:3A-24.

The Tax Court of New Jersey is a trial court having statewide jurisdiction. The court was established in 1979 by the Legislature, under the New Jersey Constitution, as a court of limited jurisdiction to review state tax and local property tax assessments. The enabling legislation can be found in N.J.S.A. 2A:3A-1 et seq. The court reviews the actions and determinations of the twenty-one county boards of taxation with respect to local property tax matters, and of the Director of the Division of Taxation and other state officials with respect to state taxes.

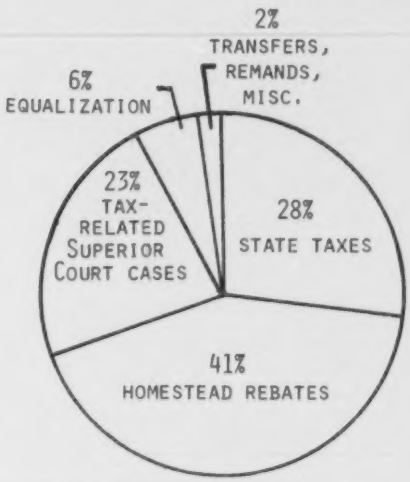
CASELOAD

Filings, transfers and miscellaneous applications during the court year total 6,376, of which 93% involved local property tax cases. The court disposed of 12,288 cases, and 7,315 cases were pending at the end of the year. The following depicts caseload statistics over the past three years.



CASES ADDED

Cases added during the year, 6,376, represented a decrease from 8,343 the previous year. Among the local property tax cases added, 47% were regular complaints. Among non-local property tax cases, 41% involved homestead rebates. The following charts indicate the types of cases added.



NON-LOCAL PROPERTY TAX CASES BY TYPE

LOCAL PROPERTY TAX CASES BY TYPE

DISPOSITIONS

Dispositions during the court year were 12,288, a decrease from 15,564 the previous year. Of the cases disposed, 89% were property tax cases, while 11% were other state tax cases.

METHOD OF DISPOSITION

Local property tax cases

Settlement, withdrawal or motion	88%
Tried to completion	12%

Other tax cases

Settlement, withdrawal or motion	83%
Tried to completion	17%

PENDING CASES

Of the 7,315 cases pending at the end of the year, 6,889 are local property tax cases, 420 involve State tax and equalization cases, and 6 'other' cases.

Approximately 6,000 local property tax cases contesting pre-1979 assessments, transferred from the former Division of Tax Appeals, Department of the Treasury, were pending at the beginning of the court year. By the end of the court year these pre-1979 cases were reduced to approximately 1,500.

APPEALS FROM TAX COURT DECISIONS

During the court year, 92 Tax Court decisions were appealed to the Appellate Division of the Superior Court. Decisions were rendered by the Appellate Division in 47 Tax Court cases. The Appellate Division took the following action:

Affirmed	21
Dismissed	18
Reversed	4
Remanded	4
Total	47

During the court year, 6 petitions for certification in Tax Court cases were denied and petitions for certification were granted in 5 cases.

THE JUDGES

The Tax Court maintains permanent courtrooms and chambers in Hackensack, Newark, New Brunswick, Trenton, Camden and Mays Landing. Tax Court cases originating in Bergen, Passaic, Hudson, Essex, Union and Middlesex Counties are heard by the judges who sit in permanent courtroom locations in northern New Jersey. Tax Court cases originating in the remaining counties are heard in permanent courtroom locations in Trenton, Camden and Mays Landing and, as required, in court houses in Morristown, Belvidere, Somerville, Freehold, Toms River and Newton.

Each judge's courtroom staff is limited to a single court clerk who, in addition to normal courtroom duties, operates the sound recording equipment. The use of a sound recording system in the Tax Court has proven to be effective and cost efficient. It enables a traveling judge to move easily from one hearing location to another, provides the means for a judge's review of court proceedings in the preparation of written opinions, and permits the prompt preparation of transcripts for appeal purposes. The quality of the transcripts has been good.

During the court year, the judges met monthly to discuss substantive and procedural developments in the tax field. Many of the judges also participated in educational courses in property valuation and trial procedure including educational programs sponsored by the Institute for Continuing Legal Education, the New Jersey State Bar Association, Rutgers University, the American Institute of Real Estate Appraisers and the Association of Municipal Assessors. Tax Court Judges also

attended The National Conference of State Court Judges.

OFFICE OF THE CLERK OF THE COURT

The Office of the Clerk is the administrative arm of the Tax Court. A significant function of the Clerk's Office is to provide taxpayers, tax attorneys and tax administrators with information about complaints, judgments and opinions and with other information regarding review of state and local tax assessments, including the furnishing of sample forms and court rules.

A team system is operating successfully to process the large volume of filings which occurs during peak periods. Progress has been made in training personnel in the use of electronic record-processing equipment. Reports for use in case tracking and calendaring are being regularly produced. The Clerk's Office is preparing for the transfer of the Tax Court docketing system from the present IBM equipment to the more advanced CAMIS micrographic computer system in use in the Superior Court.

Procedures have been established for informing tax assessors, tax collectors and county tax administrators of the appeal of Tax Court cases to the Appellate Division and the Supreme Court, and their final disposition. This information is used by municipal and county tax officials to assure that proper credits and debits are entered immediately upon the final disposition of a tax case, and to assist in the auditing of a taxing district's financial records.

PUBLICATION OF TAX COURT OPINIONS

Availability of Tax Court decisions to taxpayers, the tax bar, tax administrators and other tax professionals is a key objective of the court. Ready access to these opinions assists in tax planning, tax administration and tax enforcement by improving predictability. Opinions approved for publication are published in the New Jersey Law Journal. "Slip" opinions are produced and made available by the Administrative Office of the Courts. West Publishing Company publishes the opinions in New Jersey Tax Court Reports and advance sheets issued in connection with these reports.

RECOMMENDATIONS FOR LEGISLATIVE CHANGES

Based on the cases heard by the court, it appears that the system for review of state and local tax disputes is generally functioning satisfactorily. However, the court's experience with taxpayers, tax attorneys and tax administrators has revealed areas where the state and local tax system can be improved. Legislative changes that might be considered at this time are:

1. Modification of the provision for direct appeal to the Tax Court in local property tax cases where the assessment exceeds $750,000, to specifically include added and omitted assessment matters. (N.J.S.A. 54:3-21).

2. Clarification of the amount of real property tax required to be paid in order to file a complaint with the Tax Court to review a judgment of a county board of taxation (N.J.S.A. 54:2-39), and the amount of real property tax required to be paid in order to file a complaint directly with the Tax Court where the assessment exceeds $750,000 (N.J.S.A. 54:3-21). See Powder Mill I Assoc. v. Hamilton Tp., 3 N.J. Tax 439 (1981), appeal docketed A1525-81T3 (App. Div. December 17, 1981).

3. A statutory definition of "personal property" for the purpose of distinguishing such pro-

perty from real property when dealing with the real property tax and the business personal property tax.

4. Whether some reduction in property tax should be afforded a taxpayer whose property is destroyed during the course of the tax year. See Galloway Tp. v. Dorflinger, 2 N.J. Tax 358 (Tax Ct. 1980).

5. Resolution of a conflict between N.J.S.A. 54:4-3.5 and N.J.S.A. 54:4-3.25 concerning property owned by veterans' organizations. See Cairola-Barber Post No. 2342, Inc. v. Fort Lee, 2 N.J. Tax 262 (Tax Ct. 1981).

6. Provision for payment of realty transfer tax on a transfer resulting from a sheriff's sale to avoid the problem of determining in each sale who must pay the tax. See Soldoveri v. Director, 3 N.J. Tax 392 (1981).

7. Provision for a Tax Court judgment or order for the payment of money to be entered in the civil judgment and order docket of the Clerk of the Superior Court for record search purposes, as is provided for the Chancery Division of the Superior Court (N.J.S.A. 2A:16-11), the District Court (N.J.S.A. 2A:18-32 & 36) and the Juvenile and Domestic Relations Court (N.J.S.A. 2A:4-19.1).

8. Amendment of the Homestead Tax Rebate Act (N.J.S.A. 54:4-3.80) to eliminate the requirement that an application be filed annually.

SUMMARY OF TAX COURT ACTION IN REVIEW OF DIRECT APPEAL COMPLAINTS AND COUNTY TAX BOARD JUDGEMENTS (LOCAL PROPERTY TAX)

(1) Tax Year Reviewed	(2) Total Assessments on Direct Appeal Complaints Reviewed by Tax Court	(3) Total Assessments as determined by County Tax Board Judgments in cases reviewed by Tax Court	(4) Total of Columns (2) & (3)	(5) Total Decrease in Assessments by Tax Court below assessments shown on Direct Appeals or County Tax Board Judgments	(6) Total Increase In Assessments by Tax Court above assessments shown on Direct Appeals or County Tax Board Judgments	(7) Total Assessments as determined by Tax Court Judgements
1972		1,730,300	1,730,300	246,739	1,157,184	2,640,745
1973		10,329,770	10,329,770	981,766	3,569,081	12,917,085
1974		63,506,791	63,506,791	11,798,767	1,498,353	53,206,377
1975		90,521,748	90,521,748	13,062,816	1,934,648	79,393,580
1976		203,394,461	203,394,461	37,490,192	3,892,431	169,796,700
1977		349,700,827	349,700,827	59,690,805	5,007,411	295,017,433
1978		592,516,742	592,516,742	125,879,522	11,508,022	478,145,242
1979	118,340,600	1,074,785,245	1,193,125,845	477,290,263	12,516,511	728,352,093
1980	549,662,191	933,405,064	1,483,067,255	529,109,080	23,103,292	977,061,467
1981	722,704,901	680,479,023	1,403,183,924	518,755,506	24,066,838	908,495,256
1982	179,2?7,150	189,795,895	369,075,045	88,562,524	1,118,330	281,630,851
1983	62,834,750	14,193,260	77,028,010	14,085,406	251,555	63,194,159
1984	2,670,800		2,670,800	1,370,800		1,300,000
Totals	$1,635,492,392	$4,204,359,126	$5,839,851,518	$1,878,324,186	$89,623,656	$4,051,150,988

TAX COURT OF NEW JERSEY

September 1, 1981 - August 31, 1982

A. Cases Pending and Case Dispositions:	Local Property Tax	State Tax	Equalization, ect.	Other	Total
1. Cases pending as of first day of period	11,803	1,417	7	0	13,227
2. New cases filed during period	4,039	301	25	0	4,365
3. Superior Ct. cases assigned to Tax Court judges	0	0	0	103	103
4. Reinstated & transferred cases including remands	32	6	3	1	42
5. Miscellaneous applications added	1,865	1	0	0	1,866
	17,739	1,725	35	104	19,603
6. Case dispositions during period	-10,850	-1,314	-26	-98	-12,288
7. Pending as of last day of period	6,889	411	9	6	7,315

B. Character of Complaints Filed:

1. Local Property Tax		
Regular Appeals		
Vacant Land	405	
Residential	707	
Farmland	39	
Commercial	999	
Industrial	362	
Multi-family Residential	1,220	
Other	263	
Correction of Error	44	
		4,039
2. State Tax		
Business Personal Property Tax	4	
Cigarette Tax	1	
Corporation Business Tax	28	
Corporation Income Tax	1	
Emergency Transportation Tax	1	
Gross Income Tax	33	
Homestead Rebate	180	
Insurance Retaliatory Tax	1	
Motor Fuels Sales Tax	2	
Motor Fuels Use Tax	1	
Public Utilities Gross Receipts Tax	1	
Realty Transfer Tax	1	
Sales & Use Tax	33	
Savings Institution Tax	1	
Spill Compensation Tax	2	
Transfer Inheritance Tax	9	
Miscellaneous Complaints	2	
		301

3.	Equalization Table		
	County Equalization Table	4	
	County Rebate	3	
	Order to Revalue	1	
	Table of Equalized Valuation (School Aid)	17	
			25
4.	Superior Court tax-related cases assigned to Tax Court judges		103
5.	Transfers, reinstatements, remands and miscellaneous applications		1,908
			6,376

C.	1.	Dollar Amount of Local Property Tax Assessments Contested in Complaints Filed	$5,899,851,518.[1]
	2.	Dollar Amount of State Tax Assessments Contested in Complaints Filed	

By Type of Tax

Business Personal Property Tax	$ 151,834.
Cigarette Tax	226.
Corporation Business Tax	3,606,684.
Corporation Income Tax	11,191.
Emergency Transportation Tax	997.
Gross Income Tax	98,072.
Homestead Rebate	*
Insurance Retaliatory Tax	424,513.
Motor Fuels Sales Tax	7,237,088.
Motor Fuels Use Tax	1,875.
Public Utilities Gross Receipts Tax	4,301.
Realty Transfer Tax	19,367.
Sales & Use Tax	1,991,943.
Savings Institution Tax	12,011.
Spill Compensation Tax	7,244.
Transfer Inheritance Tax	131,712.
Miscellaneous Complaints	98.

D. Number of Complaints Filed In Each Filing Fee Category

	Local Property Tax	State Tax	Equalization Table	Other	Total
Regular	2,805	91	25	103	3,024
Small Claims	1,234	210	0	0	1,444
Transfer, remands, reinstatements & misc. applications	1,897	7	3	1	1,908
Total	5,936	308	28	104	6,376

1. New Jersey real property tax assessments totaled $111,002,530,111 for 1981. Assessments amounting to five per cent of this total were contested in complaints filed in the Tax Court during court year 1981.

* No contested tax figures shown in complaint.

PROBATION

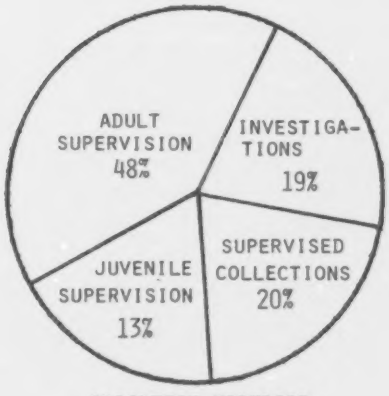
PROBATION

Probation is a major part of the work of New Jersey courts. Organized at the county level, each of the 21 probation departments is headed by a Chief Probation Officer who reports to the Assignment Judge. Probation is responsible for adult and juvenile supervision, investigations and financial collections required by the courts.

During 1982, adult supervision cases increased by 9.8%, to 38,853, while juvenile cases remained stable at 9,507, both reflecting long term trends. Juveniles in Need of Supervision (JINS) cases declined by 15% to 1,119. Investigations increased by 14% to 76,454, and collections in child support enforcement, the largest collection program, were $144.5 million, a 17% increase over 1981. Successful discharges from probation, that is, with no further offenses, totalled 23,633 in 1982, or 83% of all discharges.

PROBATION WORKLOAD

The chart below shows the breakdown of the workload in probation during 1982. More than 60% of the cases involved supervision of probationers.

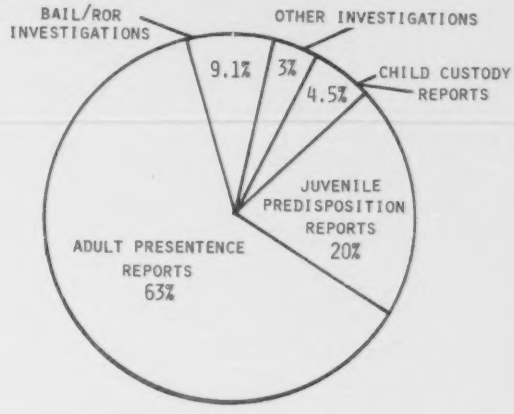


PROBATION WORKLOAD

BY TYPE

INVESTIGATIONS

Conducting investigations is one of the principal activities of the probation departments. Most investigations are made to provide information for adult presentence reports to assist the judge in the sentencing decision. In addition, probation personnel prepare juvenile predisposition reports and perform investigations prior to bail or other pretrial release and investigations relating to child custody. Other investigations concern grand juries, work release, juvenile detention, and financial status. The total in 1982 was 76,454 completed investigations. The workload can be divided as follows:



PROBATION

INVESTIGATIONS WORKLOAD

Probation departments performed more investigations in 1982 than in 1981 in all major categories of investigation. Figure 3 shows the increase in investigations over the past year.

Probation departments completed 21,154 "long form" Superior Court reports, an increase of 13.5% over 1981. The increase in these investigations is due in a large part to the implementation of speedy trial programs.

It is difficult to calculate workload per probation officer in the investigation area. For county probation departments in which an officer is assigned solely to investigations the monthly average in the state was 13 investigations.

INVESTIGATIONS COMPLETED

1981-1982

Long Form	1981	1982	% Change
Superior Court	18,643	21,154	+13.5%
Municipal Court	438	438	--
Total	19,081	21,592	+13.2%
Short Form			
Superior Court	934	1,553	+66.3%
Municipal court	2,274	1,871	-17.7%
Total	3,208	3,424	+ 6.7%
Juvenile Pre-Dispositional Reports	7,563	7,339	- 3.0%
Bail/ROR Investigations	25,134	33,447	+33.1%
Child Custody Investigations	1,830	1,689	-07.7%
Other Investigations	10,115	8,963	-11.4%
TOTAL	66,931	76,454	+14.2%

ADULT SUPERVISION

The county probation departments' caseload of adult probationer supervision increased by 9.8% last year to a total of 38,853 active cases at the end of the court year. The following chart shows the increased workload.

Throughout the state, caseloads in all but a few of the counties increased; 18 of the 21 county departments supervised more Superior Court probation cases in 1982 than in 1981.

The supervision cases arising from Superior Court criminal cases, which are generally the most serious criminal matters, have increased by 37.2% since 1977.

It is difficult to determine the average statewide adult supervision caseload per probation officer. In those offices where the client supervision staff does not conduct investigations, however, the average is 115 cases, with a range from 48 to 244 cases per adult supervision officer.

ADULT SUPERVISION WORKLOAD

COURT YEARS 1981 AND 1982

	1981	1982	
Superior Court	21,793	25,612	+17.5%
Municipal Court	9,307	10,733	+15.3%
Domestic Relations	4,280	2,508	-41.4%
TOTAL - Adult	35,380	38,853	+ 9.8%

This trend may be due to the greater use of other diversion programs and the greater reliance on crisis intervention centers in the community.

JUVENILE SUPERVISION

The number of juvenile supervision cases was stable in 1982 compared to 1981. Over the last five years, the number of supervision cases has declined by 18 cases.

Most of the juvenile supervision cases are Juvenile Delinquency cases. These offenders committed acts that would be criminal if committed by an adult. The remainder of the juvenile cases are called Juveniles in Need of Supervision (JINS). These cases involve actions, such as truancy or running away from home, which are offenses only because they were committed by a juvenile. The table below shows the change in juvenile supervision cases during the last year.

Reports on caseloads for probation officers vary widely around the state for juvenile supervision, as they do for adult supervision. The average, however, is significantly smaller for juvenile supervision. For probation officers who devote full time to supervision and perform no investigations, the average caseload is 72 cases, well under the 115 cases reported for officers with adult cases.

JUVENILE SUPERVISIONS WORKLOAD

END OF COURT YEAR

	1981	1982	% Change
Juvenile Delinquency	9,482	9,507	.3%
JINS	1,304	1,119	-14.2%
TOTAL	10,786	10,626	- 1.5%

RESULTS OF SUPERVISION

In recent years, courts and probation departments have tried to measure the accomplishments of the supervision of probationers. As a measurement of performance of the probation departments, data are now being gathered based on the manner of discharge from probation. Six categories of discharge have been devised. Of the six, two categories may be considered "successful". They are "Discharge - Completed term" and "Discharge - Other" (primarily early terminations before the original term of probation expired). Three are "unsuccessful": "Discharge - Violation of Probation", "Discharge - New Offense", and "Discharge - Absconder" (a probationer whose whereabouts are unknown). The sixth category ("Deceased") is not included in this calculation.

Clearly, the great majority of probationers successfully met their terms of probation and were not convicted of another offense while under supervision. It is important to note, however, that the categories of discharge have been set up without formal, rigorous definitions or guidelines statewide. As a result, there may be some variance among the categories from county to county. The following table shows the results of cases discharged from supervision in 1982:

DISCHARGES FROM SUPERVISION

1982

	Successful	Unsuccessful	Deceased	Total Discharged
Adult	15,707 (81.3%)	3,448 (17.8%)	174 (0.9%)	19,329
Juvenile	7,926 (86.7%)	1,180 (12.9%)	35 (0.4%)	9,141
Total	23,633 (83.0%)	4,628 (16.3%)	209 (0.7%)	28,470

CHILD SUPPORT ENFORCEMENT PROGRAM

OVERVIEW

One out of every 9 children in the State of New Jersey received assistance through the New Jersey Courts' Child Enforcement Programs. Monitored by the Administrative Office of the Courts and operating in all twenty-one county probation departments, the Child Support Enforcement Programs are instrumental in stabilizing the income of households where at least one parent is absent, and in turn, reducing the welfare burden of those families already on public assistance.

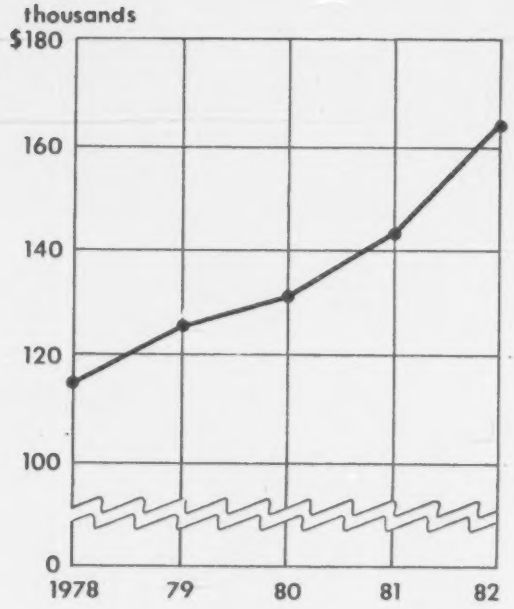
COLLECTIONS

The New Jersey Court system collected $144,526,018 in child support in Fiscal 1982.* This figure represents a 16% increase over collections in 1981. Of that figure, $37,361,062 was collected for individuals on public assistance, thereby reimbursing funds to state and county treasuries for those welfare programs. $107,164,956 was collected for families that were not receiving any form of public assistance.

* July 1, 1981 - June 30, 1982

The case load involving these collections has risen 59% over the past five years and 17% since 1981. Adjudicated through the Superior Court Matrimonial Division and the Juvenile and Domestic Relations Courts of New Jersey, 255,000 children received an average collection of $953.84 per case, a $53.27 increase per case since 1981. There was a 7% increase in the case load in 1982 totaling 151,521 individual cases in the State of New Jersey.

CHILD SUPPORT ENFORCEMENT
MONIES COLLECTED



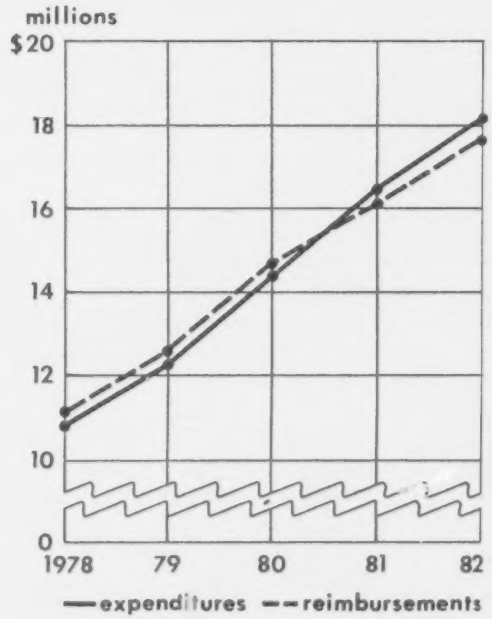
EXPENDITURES

$18,257,302 were expended to run the Courts' Child Support Enforcement Program in 1982, increased by 11% over the 1981 costs. Reimbursements and incentive payments from the federal government on public assistance cases offset 98% of all costs to the State and counties.

For the first year since 1978, when staffing levels were sharply increased in preparation for all programs now in place, cost effectiveness of the Court's portion of Child Support Enforcement rose. For every dollar spent on the enforcement of these programs in 1982, $7.92 was collected, an increase of 6% over 1981.

The Labor Productivity Index in 1982, representing collections for child support staff members, increased to $161.00 per employee compared to $141.00 per employee in 1981, a 14.3% increase in productivity. The Labor Productivity Index is illustrative of the increase in productivity for each staff member and is not a factor of increased monetary or personnel resources expended. It is proof that the new projects and new legislation, coupled with the incentive of employees of the system, is producing better value for the taxpayer's dollar.

CHILD SUPPORT ENFORCEMENT
EXPENDITURES/REIMBURSEMENTS



NEW PROJECTS

Implementation of State and federal legislation that provides quicker access to funds of parents in child support payments has been a major factor in the increased collections and productivity.

The New Jersey Child Support Enforcement Act allows for quasi-automatic execution against a parent's wages when that parent fails to make a child support payment for 25 consecutive days. Previously, another court hearing was required to obtain an income execution.

The Act also provides for wage reporting services, through the Division of Public Welfare, that can give probation officials the name and address of the current employer of the delinquent parent. Previously, the only source of this information was the other parent, who often had incorrect or out of date information.

State and federal laws have also been enacted that provide for the intercept of tax and other refunds to parents delinquent in child support payments. The state law allows the intercept of state income tax refunds and homestead rebates, while the federal law provides for intercept of federal income tax refunds if the family to be supported is receiving Aid to Families of Dependent Children.

To further streamline and improve child support enforcement activities, the Administrative Office of the Courts has submitted a request for federal funds to implement a statewide computerized child support enforcement system that could also obtain information about delinquent parents from similar systems in other states. If approved, the grant would be made in 1983.

MUNICIPAL COURTS

MUNICIPAL COURTS

Municipal Courts are authorized by the Legislature under N.J.S.A. 2A:8-1, and established by the local governing bodies of the State's municipalities. In 1982, there were 531 municipal courts in the State, 14 of which were joint courts serving more than one municipality.

The municipal courts are courts of limited jurisdiction. Under N.J.S.A. 2A:8-21 and 22, the municipal courts have jurisdiction over motor vehicle and traffic violations, ordinance violations, disorderly and petty disorderly persons offenses, certain Penalty Enforcement Actions (N.J.S.A. 2A:58-1, et seq.) such as fish and game navigation violations, specified criminal offenses and probable cause hearings on indictable offenses. The territorial jurisdiction of these courts generally extends to the boundaries of the municipalities served by the joint court.

The judges are appointed by the local governing body, except in joint courts where appointment is by the Governor with the advice and consent of the Senate. All judges serve for a term of three years and until their successor is appointed and qualified. There is no tenure of office for municipal court judges, nor is there a mandatory retirement age, conditions of office which distinguish these judges from all others in the Judiciary.

The number of municipal court judges holding office during the 1982 court year was 359, of whom 3 were non-lawyers and the remaining 356 were attorneys. This represents a decrease of 5 in the total number of judges compared to 1981. The number of non-lawyer judges decreased by one from 1981.

Of the 359 judges presiding over the municipal courts, 87 judges presided over more than one court. Most of the multi-court judges presided over two or three courts; however, one judge presided over 13 courts, another over 11 courts and yet another over 10 courts. In 11 municipalities, the municipal courts have more than one judge. There were 31 judges in these courts, which have the largest case loads among the municipal courts.

Very few municipal court judges devote their full time to judicial duties. The vast majority serve part-time and maintain private law practices. Five courts had full-time judges during 1982, the same as in 1981.

Appeals from the municipal courts are taken to the Superior Court, Law Division as cases de novo. However, since the introduction of sound recording in the municipal courts, the Superior Court judge re-hears the case by review of the sound recording transcript and supplemental oral argument by the attorneys or pro se appellants. This method of re-trial on appeal has reduced Superior Court bench time from more than one hour, on average, to less than fifteen minutes in the average municipal court appeal.

CASELOAD

The municipal courts handle the vast majority of minor offenses. In the 1982 court year 4,801,104 complaints were filed. This figure exceeds the number of complaints in 1981 by 227,920 or 5%. Dispositions also reached a new high, with a total of 3,732,006, 4% over 1981. The table below compares the 1982 figures to those of 1981.

CASELOAD SUMMARY
1981-1982

	1981	1982	% Change
Total Complaints Filed	4,573,184	4,801,104	+5.0%
Total Dispositions	3,590,921	3,732,006	+4.0%
Pending	982,263	1,069,098	+8.8%

While dispositions reached a new high, complaint filings rose at a faster rate than dispositions.

The municipal court workload contains three separate components: parking violations, traffic violations, and criminal proceedings.

PARKING

Parking violations made up about 62% of all complaints filed in municipal court in 1982. The number of violations rose by 3.6% over 1981, a larger increase than the 1.5% in 1981.

Despite the fact that understaffing problems often require that parking cases receive a lower priority than more serious offenses in the municipal courts, the figures above point to increased productivity. Dispositions rose 3.9% in 1982 following upon a 5.1% increase in 1981. Increased productivity may be due, in part, to the increased use of computer operations in the busier municipal courts to process parking tickets.

Most dispositions in parking violations, 9.4% of the total, are handled by the violations bureau. The violations bureau affords an opportunity to most persons receiving tickets to pay fines without a formal court appearance.

Parking revenues rose by about $1.2 million to $18,066,948. This figure equals 21.6% of all revenues generated by the municipal courts in the State. By comparison, parking revenues in 1981 equaled 23.9% of all revenues generated, a drop of 2.3%. Fines and costs from the disposition of most parking violations are remitted to the municipality.

The table below isolates the municipal court workload and productivity with respect to parking violations for the 1981-1982 court years:

PARKING VIOLATIONS SUMMARY 1981-1982

	1981	1982	% Change
Added	2,864,161	2,967,588	+3.6%
Disposed	2,077,166	2,158,302	+3.9%
Rate of Disposition	72.5%	72.7%	+0.2%
Revenues	$16,858,357	$18,066,948	+7.2%
Per Disposition	$8.11	$8.37	+3.2%

TRAFFIC

Traffic complaints make up more than 29% of all complaints filed in the municipal courts and 34% of all complaints disposed of in the municipal courts.

Traffic filings increased in the past year by 8.2%. Except for 1981, filings have increased each year since 1978. While the rate of dispositions has decreased from 94.5% in 1981 to 91.0% in 1982, revenues have increased dramatically in the last year from $41,309,782 to $51,359,832 an increase of 24.3%. This may be due, in part, to recent legislation which requires that a traffic fine be paid off in 6 months or the defendant risks the loss of his driver's license.

Revenues generated by the disposition of traffic complaints total more than $3 out of every $5 of municipal court assessments despite the fact that traffic complaints disposed of represent only about 1 out of every 3 cases. Fines received for violations of local traffic ordinances are remitted to the municipality. Through calendar year 1982, most fines received from state violations bureau were remitted to the county. Beginning in calendar year 1983, the Legislature has established a revenue sharing procedure between the county and the municipality. In any event, if the complaint was instituted by the state police or the Division of Motor Vehicles, the revenue goes to the state.

Most of the traffic cases, like parking complaints, are disposed of by the violations bureau. Of those tried in court (29% of the total dispositions), there were 319,775 cases disposed of by convictions and guilty pleas in open court and 86,841 by dismissals and findings of not guilty. About 44% of all bench time is devoted to the disposition of traffic matters. While this is a significant amount of all municipal court bench time, the court rules require court appearances in some more serious traffic offenses, such as drunk driving, even if the defendant intends to plead guilty.

The table below isolates the municipal court workload and productivity with respect to traffic violations for the 1981-1982 court years.

TRAFFIC VIOLATIONS SUMMARY
1981-1982

	1981	1982	% Change
Added	1,295,652	1,402,334	+8.2%
Disposed	1,224,848	1,276,178	+4.2%
Rate of Disposition	94.5%	91.0%	-3.5%
Revenues	$41,309,782	$51,359,832	+24.3%
Revenues Per Disposition	$33.73	$40.24	+19.3%

CRIMINAL

In criminal matters, filings, dispositions, and revenues rose, while the rate of disposition fell slightly.

Dispositions included 1,662 indictable complaints adjudicated in the municipal court on waiver of indictment and jury trial. The remainder of the dispositions involved non-indictable offenses, included among them were 33,586 cases disposed of through the violations bureau. There were 11,821 dismissals after conditional discharge and pretrial intervention, 140,911 convictions and guilty pleas in open court.

CRIMINAL VIOLATIONS SUMMARY
1981-1982

	1981	1982	% Change
Added	413,371	431,182	+ 4.3%
Disposed	288,907	297,526	+ 3.0%
Rate of Disposition	69.9%	69.0%	- 0.9%
Revenues	$12,420,275	$14,149,414	+13.9%
Revenues Per Disposition	$42.99	$47.56	+10.6%

DISPOSITION PROFILE
1982

Adjudicated in in Municipal Court	1,662	0.5%
Through Violations Bureau	33,586	11.3%
Dismissals after Conditional Discharge	11,821	4.0%
Conviction Guilty Plea in open court	140,911	47.4%
Dismissed and Findings of Not Guilty	109,546	36.8%
TOTAL	297,526	

Of those defendants convicted in the municipal courts of criminal violations, 12,790 defendants were sentenced to jail, 10,269 were placed on probation, 19,697 received suspended sentences. As the table below shows, jail and probation sentences increased while suspended sentences decreased in 1982 in comparison to 1981.

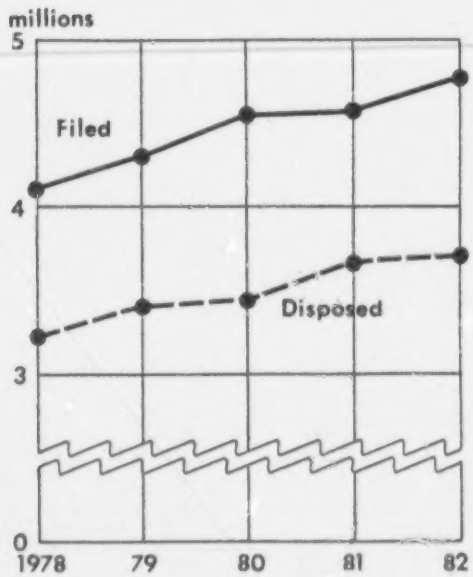
SENTENCES PROFILE
1981-82

	1981	1982	% Change
Jail	11,941	12,790	+ 7.1%
Probation	8,789	10,269	+16.8%
Suspended Sentence	21,015	19,697	- 6.3%

FIVE YEAR TRENDS IN CASELOAD AND REVENUES

The years 1978-1982 have been years of of continuous increase in case filings. While dispositions have also continuously increased throughout the five year period, dispositions have not matched filings except in 1981 when the number of case filings increased by only 0.6%.

FILING & DISPOSITIONS
1978-1982



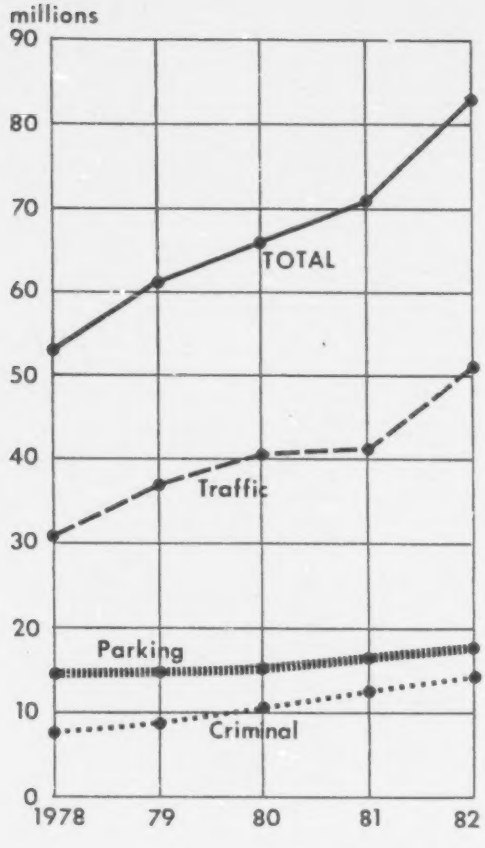
Revenues assessed in criminal cases rose about $1.7 million from 1981 to $14,149,414 in 1982. Criminal case revenue assessments are significant, 16.9% of total revenues, given the fact that criminal cases make up only 8.0% of dispositions. It seems clear that the increased revenue from criminal cases reflects the operation of the Code of Criminal Justice and the higher fines for disorderly persons violations authorized by the code. The imposition of special penalties on criminal defendants, under the Violent Crimes Compensation Act, also accounts for an increase in revenues.

Revenues (fines, court costs and bail forfeitures imposed) generated by the municipal courts assessed $83,576,194 in 1982 as compared with $70,588,414 in the 1981 court year, an increase of $12,987,780 or 18.4%. The revenue figure is a record and dramatically reverses a trend of a half a decade which had pointed to a slowing down in the yearly increase of revenues generated by the municipal courts.

Traffic revenues increased dramatically in 1982 resuming the sharp increase that had characterized the years 1978-1980. The year 1981 had seen an increase in revenues but at a slower rate. Parking revenues showed continued steady increase. Criminal revenues have also showed a steady increase over the past half a decade with an increase in 1982 of about $1.7 million, attributable in part to increased maximum fines for disorderly persons offenses under the Code of Criminal Justice and the creation of petty disorderly persons offenses under the Code.

The following graph traces the unbroken increase in revenues over the past five years and the significant increase of the past year.

REVENUES 1978-1982



RATES OF DISPOSITION

In the parking and criminal components, the municipal courts held at about the same level of performance for 1982 as in 1981. However, in traffic, notwithstanding the great increase in revenue, the rate of disposition fell off. The table below depicts the performance of the municipal courts in these three areas of their workload.

RATES OF DISPOSITION

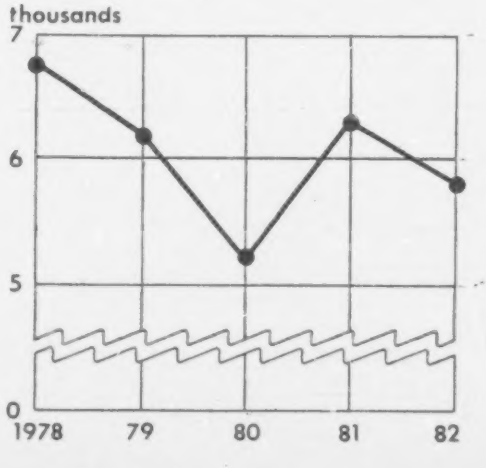
	%1981	%1982
Parking	72.5	72.7
Traffic	94.5	91.0
Criminal	69.9	69.0
Total	78.5	77.7

Of note is the drop off in the rate of disposition in traffic which may reflect in part an increase in the number of contested drunken driving cases during the 1982 court year as a result of an increase in the penalties for drunk driving mandated by legislation.

NOTICE IN LIEU OF COMPLAINT

The notice in lieu of complaint is a document generated by the court requiring the person to whom the notice is addressed to appear and discuss the particulars of a minor neighborhood or domestic dispute. The matter is discussed by the disputing parties in the presence of the judge or a person designated by the court and approved by the Assignment Judge. This conference results in the recommendation that a formal complaint should or should not be issued, and frequently leads to settlement of the dispute, making a trial unnecessary. The developing use of conferences presided over by a person designated by the court and approved by the Assignment Judge allows the municipal courts to devote its limited resources to more serious offenses.

In 1982, 5,862 notices in lieu of complaint were generated. This is a decrease of 7.6% from 1981 when 6,341 such notices were generated. The court year 1981 had witnessed a dramatic increase in the use of the notice after successive years of decline. The following chart shows the five year picture for the notice in lieu of complaint.



SUMMONS IN LIEU OF WARRANT

For some time, the Administrative Office of the Courts has emphasized that the summons is the favored form of process unless circumstances require the use of the warrant. This policy applies to indictable offenses as well as non-indictable offenses. The efforts to educate elements of the criminal justice system to the increased use of summons have been successful as there has been a steady increase in the percentage of summonses issued in both indictable and non-indictable matters. Effective for the 1981 court year, the rules of court governing the procedure for issuance of court process (Rule.3:3-1 and Rule 3:4-1) were amended to contain detailed guidelines on the issuance of the warrant and favor the summons as the more frequently appropriate form of process. As evidenced by the table below, the percentage of summons increased for non-indictable matters in the 1982 court year as well as in the court years 1978-1981. However, for the first time in five years the percentage of summons decreased for indictable matters in the 1982 court year to 25.8% from 28.2% in the 1981 court year.

The following table does not include "process" for local ordinance violations, which are not written up on the CDR-1 (Summons) or CDR-2 (Warrant) Forms. The data in the table are based on the issuance of CDR Forms for petty disorderly, persons, and indictable offenses.

SUMMONS/WARRANT INDICTABLES & NON-INDICTABLES
1978-1982

	1978	%	1979	%	1980	%	1981	%	1982	%
Indictable										
Summons	15,193	17.5	16,772	19.0	19,712	21.3	29,320	28.2	27,804	25.8
Warrant	71,791	82.5	71,072	81.0	72,745	78.7	74,678	71.8	78,602	74.2
Non-Indictable										
Summons	16,246	65.2	125,270	67.1	143,733	69.8	173,550	78.4	184,782	79.5
Warrant	62,046	34.8	61,490	32.9	62,043	30.2	47,829	21.6	47,572	20.5

JUDICIAL WORKLOAD

The 359 municipal court judges in 1982 spent 119,203 hours on the bench, an increase over last year of 2,826 hours. Notwithstanding a decrease of 5 judges, there was an increase in the total number of bench hours, bench hours per year per judge and bench hours per week per judge.

In addition, the disposition rate per bench hour increased to 6.72 cases in 1982 as compared to 1981 when it was 6.55 cases, indication that the municipal courts were both busy and productive in 1982.

JUDICIAL BENCH HOURS
1981-82

	1981	1982	% Change
Judges	364	359	-1.4%
Hours on bench	116,377	119,203	+2.4%
Bench hours per year per judge	319	332	+4.1%
Bench hours per week per judge	6.13	6.38	+4.1%

VICINAGE PROFILES

VICINAGE 1 ATLANTIC • CAPE MAY • CUMBERLAND • SALEM COUNTIES

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	2,472	2,107	3,092			
	1982	2,646	2,654	3,226	7.0	26.0	4.3
CRIMINAL	1981	4,129	4,991	1,080			
	1982	4,341	4,197	975	5.1	-15.9	- 9.7
MATRIMONIAL	1981	2,012	2,303	1,454			
	1982	1,903	2,260	1,101	- 5.4	- 1.9	-24.3
GENERAL EQUITY	1981	465	587	256			
	1982	464	544	315	- .2	- 7.3	23.1
JUVENILE & JINS	1981	12,741	12,965	977			
	1982	12,535	12,977	535	- 1.6	.1	-45.2
DOMESTIC RELATIONS	1981	11,281	11,695	517			
	1982	13,097	12,972	642	16.1	10.9	24.2
DISTRICT COURT	1981	22,205	22,277	3,380			
	1982	24,391	24,734	3,037	9.8	11.0	-10.2
OTHER	1981	368	407	82			
	1982	475	446	111	29.1	9.6	35.4
TOTAL	1981	55,673	57,332	10,838			
	1982	59,852	60,784	9,942	7.5	6.0	- 8.3

CASELOAD HIGHLIGHTS

* Vicinage cleared its calendar by 932 cases.

* Total casse added increased by 7.5%, the highest increase in the State

* Increased dispositions in District and Civil Courts and Municipal Appeals among the highest in the State

* Decreased in active pending caseload among the highest in the State

* Increased dispositions in District and Civil Courts and Municipal Appeals among the highest in the State.

* Decreases in active pending caseload among the highest in the State.

PROJECTS AND MAJOR ACCOMPLISHMENTS

.Experimental use of credit cards for Municipal Court fines, costs, and bail
.Establishment of Juvenile Referee Program and Neighborhood Dispute Programs
.Formation of Judicial Planning Committee
.Adoption of Treatment Alternatives to Street Crime Program
.Utilization of Civil Case Management Program
.Jury system improvements and reduction of jury service from 4 weeks to 1 week
.Installation of word processing equipment
.Initiation of records management program

VICINAGE 2 BERGEN COUNTY

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	6,270	5,525	9,319			
	1982	6,417	6,884	8,920	2.3	24.6	- 4.3
CRIMINAL	1981	2,134	2,128	1,610			
	1982	1,765	2,313	776	-17.3	8.7	-51.8
MATRIMONIAL	1981	3,906	3,608	2,151			
	1982	3,299	3,540	1,904	-15.5	- 1.9	-11.5
GENERAL EQUITY	1981	426	437	182			
	1982	352	409	141	-17.4	- 6.4	-22.5
JUVENILE & JINS	1981	8,626	8,967	1,054			
	1982	8,842	8,896	1,000	2.5	- .8	- 5.1
DOMESTIC RELATIONS	1981	2,336	2,374	233			
	1982	2,584	2,587	230	10.6	9.0	- 1.3
DISTRICT COURT	1981	33,333	34,083	5,562			
	1982	34,913	35,511	4,964	4.7	4.2	-10.8
OTHER	1981	377	353	131			
	1982	357	349	139	- 5.3	- 1.1	6.1
TOTAL	1981	57,408	57,475	20,242			
	1982	58,529	60,489	18,074	2.0	5.2	-10.7

CASELOAD HIGHLIGHTS

* Vicinage cleared its calendar by 1,960 cases

* Largest increase in cases added occurred in JINS and Juvenile 10.6% among the highest in the state.

* Criminal cases pending dropped 51.8%, the second highest in the state.

PROJECTS AND MAJOR ACCOMPLISHMENTS

.Jury system improvements including one day/one trial service
.Civil case bar panel settlement programs
.Contact improvements for Support Staff
.Telephone motions, 10% cash bail, community service sentencing, Court Appointed Special Advocate (CASA) Program, and law clerk small claims mediation

VICINAGE 3 BURLINGTON • OCEAN COUNTIES

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	3,441	3,518	3,977			
	1982	3,506	3,676	3,757	1.9	4.5	- 5.5
CRIMINAL	1981	2,218	2,065	921			
	1982	2,034	2,020	439	- 8.3	- 2.2	-52.3
MATRIMONIAL	1981	3,906	3,668	1,726			
	1982	3,130	3,266	1,592	-19.9	-11.0	- 7.8
GENERAL EQUITY	1981	502	537	300			
	1982	420	479	240	-16.3	-10.8	-20.0
JUVENILE & JINS	1981	10,694	10,493	764			
	1982	9,950	10,281	433	- 7.0	- 2.0	-43.3
DOMESTIC RELATIONS	1981	5,910	5,986	442			
	1982	6,025	6,136	331	1.9	2.5	-25.1
DISTRICT COURT	1981	27,573	27,920	4,387			
	1982	28,531	28,654	4,264	3.5	2.6	- 2.8
OTHER	1981	436	431	108			
	1982	515	454	169	18.1	5.3	56.5
TOTAL	1981	54,680	54,618	12,625			
	1982	54,111	54,966	11,225	- 1.0	0.6	-11.1

CASELOAD HIGHLIGHTS 1982

* Vicinage cleared its calendar by 855 cases

* Matrimonial cases added declined by 19.9%, the largest decrease in the state.

* Criminal cases pending decreased by 52.3%, the largest decline in the state.

* General Equity cases pending dropped 20%, the second largest decrease in the state.

PROJECTS AND MAJOR ACCOMPLISHMENTS

.Video system used in Burlington County for Juror Orientation, Training Court Personnel, taking depositions, and training municipal judges in courtroom techniques
.Implementation of Civil Case Management Program in Burlington County
.Reduction of jury service to one week in Burlington County
.Construction began on Ocean County Justice Facility
.Use of one trial/two day juror service program in Ocean County
.Expansion of computerization in Ocean County's District Court, Civil Calendar, and Speedy Trial

VICINAGE 4 CAMDEN • GLOUCESTER COUNTIES

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	4,363	4,266	6,504			
	1982	4,860	5,653	5,640	11.4	32.5	-13.3
CRIMINAL	1981	3,973	4,441	1,814			
	1982	4,781	4,745	1,766	20.3	6.9	- 2.7
MATRIMONIAL	1981	3,342	3,000	1,965			
	1982	2,877	3,064	1,769	-13.9	2.1	- 9.6
GENERAL EQUITY	1981	391	446	242			
	1982	358	378	213	- 8.4	-15.2	-12.0
JUVENILE & JINS	1981	13,241	13,120	1,181			
	1982	11,006	11,332	855	-16.9	-13.6	-27.6
DOMESTIC RELATIONS	1981	8,216	8,104	664			
	1982	12,344	12,494	514	50.2	54.2	-22.6
DISTRICT COURT	1981	28,992	29,534	3,304			
	1982	31,385	31,983	2,706	8.3	8.3	-18.1
OTHER	1981	276	269	83			
	1982	331	308	106	19.9	14.5	27.7
TOTAL	1981	62,794	63,180	15,748			
	1982	67,942	69,957	13,569	8.2	10.7	-13.8

CASELOAD HIGHLIGHT 1982

* Vicinage cleared its calendar by 2,015 cases.

* Total cases added rose 8.2%, tying with Vicinage 8 for highest increase in the State.

* Criminal cases added increased 20.3% and Domestic Relations rose 50.2%, both ranking highest in the State.

* Total case disposed increased 10.7%. The highest in the State.

* Civil, Domestic Relations and District Court dispositions among the highest in the State.

PROJECTS AND MAJOR ACCOMPLISHMENTS

.Seminar for municipal court judges included presentations on sentencing, bail, budgets, management of the Clerk's office, and conduct of court proceedings

.Implementation of one day/one trial jury service in Gloucester County

.Institution of Civil Case Bar Panel Settlement Program in Gloucester County

VICINAGE 5 ESSEX COUNTY

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	7,662	8,208	7,278			
	1982	7,660	7,854	7,102	0	- 4.3	- 2.4
CRIMINAL	1981	5,972	4,604	3,735			
	1982	6,199	5,967	3,957	3.8	29.6	5.9
MATRIMONIAL	1981	3,031	2,499	2,303			
	1982	2,716	2,996	2,023	-10.4	19.9	-12.2
GENERAL EQUITY	1981	403	565	270			
	1982	451	397	244	11.9	-29.7	- 9.6
JUVENILE & JINS	1981	13,486	13,632	1,312			
	1982	13,417	13,514	1,215	- .5	- .9	- 7.4
DOMESTIC RELATIONS	1981	27,760	27,907	973			
	1982	31,272	31,988	257	12.7	14.6	-73.6
DISTRICT COURT	1981	72,867	72,949	6,068			
	1982	75,905	76,384	5,589	4.2	4.7	- 7.9
OTHER	1981	311	301	81			
	1982	366	329	118	17.7	9.3	45.7
TOTAL	1981	131,492	130,665	22,020			
	1982	137,986	139,429	20,505	4.9	6.7	- 6.9

CASELOAD HIGHLIGHTS 1982

* Total cases added increased 4.9%, second highest in the State.

* Vicinage calendar cleared by 1,443 cases.

* Criminal case added rose 3.8% among highest in the State.

* Total disposition increased 6.7%, among highest in the State.

* Pending Domestic Relations cases reduced 73.6%, the largest decrease in the State.

PROJECTS AND MAJOR ACCOMPLISHMENTS

.Programming concluded for Juvenile and Adult Probation Management Information System
.Use of community service sentencing
.Participation in Federal Pilot Project has resulted in Title IV-D Program improvements and increased collections

VICINAGE 6 HUDSON COUNTY

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	4,682	4,587	3,990			
	1982	4,409	4,509	3,879	- 5.8	- 1.7	- 2.8
CRIMINAL	1981	2,861	2,252	1,900			
	1982	1,991	2,881	927	-30.4	27.9	-51.2
MATRIMONIAL	1981	2,491	2,108	1,656			
	1982	2,103	2,404	1,355	-15.6	14.0	-18.2
GENERAL EQUITY	1981	250	317	116			
	1982	326	308	120	30.4	- 2.8	3.5
JUVENILE & JINS	1981	7,774	7,079	1,810			
	1982	7,507	7,476	1,841	- 3.4	5.6	1.7
DOMESTIC RELATIONS	1981	6,655	6,516	751			
	1982	5,332	5,570	513	-19.9	-14.5	-31.7
DISTRICT COURT	1981	34,241	34,937	3,561			
	1982	37,443	36,800	4,204	9.4	5.3	18.1
OTHER	1981	132	119	56			
	1982	146	151	51	10.6	26.9	- 8.9
TOTAL	1981	59,086	57,915	13,840			
	1982	59,257	60,099	12,890	0.3	3.8	- 6.9

CASELOAD HIGHLIGHTS 1982

* Vicinage calendar cleared by 842 cases.

* General Equity cases added increased 30.4%, the highest increase in the State.

* Disposition of Municipal Appeals, Post Convictions and Probate rose 26.9%, the highest in the State.

* Criminal and Domestic Relations cases pending among the highest in the State.

PROJECTS AND MAJOR ACCOMPLISHMENTS

.Use of a call-in system for jury service
.Computerized Criminal and Civil case tracking systems
.Establishment of emergency psychiatric evaluation procedures
.Participation with local colleges in Student Intern Program
.Weekly meetings of Delay Reduction Executive Committee
.Meeting with municipal police chiefs to resolve law enforcement/judicial issues
.Communication and document exchange improvements by the Central Judicial Processing Unit
.Commitments from public and non-profit agencies to participate in the community service program
.Training sessions for Child Placement Review Board members and Juvenile Conference Committees
.Liaison with municipal courts

VICINAGE 7 HUNTERDON • MERCER • SOMERSET COUNTIES

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	3,046	3,041	3,335			
	1982	3,073	3,354	3,138	.9	7.0	-5.9
CRIMINAL	1981	3,407	3,007	1,472			
	1982	2,998	3,184	1,263	-12.0	5.9	-14.2
MATRIMONIAL	1981	2,714	2,900	1,637			
	1982	2,544	2,553	1,638	-6.3	-12.0	0.1
GENERAL EQUITY	1981	8,438	8,604	1,428			
	1982	318	345	143	-5.6	1.2	-17.3
JUVENILE & JINS	1981	8,438	8,604	1,428			
	1982	9,203	9,320	1,311	9.1	8.3	-8.2
DOMESTIC RELATIONS	1981	4,247	4,441	447			
	1982	5,079	5,108	418	19.6	15.0	-6.5
DISTRICT COURT	1981	27,268	29,193	3,726			
	1982	27,487	28,632	2,581	.8	-1.9	-30.7
OTHER	1981	463	471	146			
	1982	472	484	134	1.9	2.8	-8.2
TOTAL	1981	49,920	51,998	12,364			
	1982	51,174	52,880	10,626	2.5	1.7	-14.1

CASELOAD HIGHLIGHTS 1982

* Vicinage calendar cleared by 1,706 cases.

* Juvenile and JINS cases added rose 9.1%, the highest in the state.

* Dispositions in Domestic Relations, Juvenile, JINS and General Equity among the highest in the State.

* Total cases pending dropped 14.1%, the second highest decrease in the State.

PROJECTS AND MAJOR ACCOMPLISHMENTS

.Jury system improvements, including reduction of service and call-in system, in Mercer County

.Mercer County's Informal Hearing Program for landlord/tenant disputes, small claims cases, and domestic violence referrals

.Improvement in the number of court appearances by monitoring the location of all criminal defendants in Somerset County

VICINAGE 8 MIDDLESEX COUNTY

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	6,272	6,232	7,917			
	1982	6,677	6,023	8,571	6.5	-3.4	8.3
CRIMINAL	1981	3,055	2,513	1,775			
	1982	2,900	2,451	2,061	-5.1	-2.5	16.1
MATRIMONIAL	1981	2,362	2,690	1,832			
	1982	2,501	2,482	1,851	5.9	-7.7	1.0
GENERAL EQUITY	1981	271	269	172			
	1982	346	310	216	27.7	15.2	25.6
JUVENILE & JINS	1981	7,638	7,808	801			
	1982	6,949	6,991	759	-9.0	-10.5	-5.2
DOMESTIC RELATIONS	1981	4,906	4,913	373			
	1982	4,735	4,739	369	-3.5	-3.5	-1.1
DISTRICT COURT	1981	22,935	23,164	3,811			
	1982	27,261	28,828	2,244	18.9	24.5	-41.1
OTHER	1981	323	319	53			
	1982	308	298	63	-4.6	-6.6	18.9
TOTAL	1981	47,762	47,908	16,734			
	1982	51,677	52,122	16,134	8.2	8.8	-3.6

CASELOAD HIGHLIGHTS 1982

* Vicinage cleared its calendar by 445 cases.

* Total cases added increased 8.2%, along with Vicinage 4, the highest increase in the State.

* District Court cases added rose 18.9%, the highest in the State.

* Total cases disposed increased 8.8%, the second highest in the State.

* District Court cases pending declined 41.1%, the highest in the State.

PROJECTS AND MAJOR ACCOMPLISHMENTS

.Establishment of Youth Services Commission
.Approximately 50% of the small claims caseload was disposed by the Early Settlement Program
.Organization of a community network of social service agencies to provide families with a multi-discipline approach to problem identification and available resources
.Training program for first-time shoplifters held by East Brunswick Municipal Court
."Notice to Defendants" Criminal Intake System cited by the National Center for State Courts in its Reardon Awards Program
.Utilization of an Assigned Counsel Program
.Implementation of an improved personnel recordkeeping system
.Institution of an inventory system for court equipment
.Probation Department's Juvenile Restitution Program cited by the U.S. Office of Juvenile Justice

VICINAGE 9 MONMOUTH COUNTY

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	3,716	4,508	4,885			
	1982	4,234	4,243	5,582	13.9	-5.9	14.3
CRIMINAL	1981	2,393	2,140	728			
	1982	2,365	2,443	643	-1.2	14.2	-11.7
MATRIMONIAL	1981	2,284	2,467	1,570			
	1982	2,083	2,712	941	-8.8	9.9	-40.1
GENERAL EQUITY	1981	343	370	157			
	1982	287	261	178	-16.3	-29.5	13.4
JUVENILE & JINS	1981	7,379	7,789	772			
	1982	7,753	7,656	869	5.1	-1.7	12.6
DOMESTIC RELATIONS	1981	3,417	3,636	327			
	1982	3,565	3,522	370	4.3	-3.1	13.2
DISTRICT COURT	1981	21,517	22,942	5,887			
	1982	22,229	22,785	5,331	3.3	-.7	-9.4
OTHER	1981	299	323	43			
	1982	306	302	47	2.3	-6.5	9.3
TOTAL	1981	41,348	44,175	14,369			
	1982	42,822	43,924	13,961	3.6	-0.6	-2.8

CASELOAD HIGHLIGHTS 1982

* Vicinage cleared its calendar by 1,102 cases.

* Civil cases added rose 13.9%, the highest increase in the State.

* Juvenile and JINS cases added increased 5.1%, the highest in the State.

* Matrimonial cases pending declined 40.1%, the largest decrease in the State.

PROJECTS AND MAJOR ACCOMPLISHMENTS

.Implementation of one-step qualification and summoning of jurors
.Computerization of the civil calendar
.Meetings with the Municipal Court judges to promote exchange of ideas and cooperative formation of county policy
.Completion of the consolidation of all court functions in the court house
.Revision of Security Plan for the court house
.Implementation of Central Purchasing Program
.Establishment of Criminal Law Library

VICINAGE 10 MORRIS • SUSSEX • WARREN COUNTIES

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	2,903	2,166	3,466			
	1982	2,848	2,778	3,507	-1.9	28.3	1.2
CRIMINAL	1981	1,836	1,622	1,170			
	1982	1,890	2,348	722	2.9	44.8	-38.3
MATRIMONIAL	1981	1,951	1,980	1,872			
	1982	2,510	3,284	1,095	28.7	65.9	-41.5
GENERAL EQUITY	1981	401	484	185			
	1982	437	412	210	9.0	-14.9	13.5
JUVENILE & JINS	1981	6,710	6,922	651			
	1982	6,497	6,627	521	-3.2	-4.3	-20.0
DOMESTIC RELATIONS	1981	2,437	2,463	280			
	1982	2,327	2,344	263	-4.5	-4.8	-6.1
DISTRICT COURT	1981	20,215	20,398	2,589			
	1982	20,375	20,456	2,508	.8	.3	-3.1
OTHER	1981	326	320	109			
	1982	303	323	89	-7.1	.9	-18.4
TOTAL	1981	36,779	36,355	10,322			
	1982	37,187	38,572	8,915	1.1	6.1	-13.6

CASELOAD HIGHLIGHTS 1982

* Vicinage cleared its calendar by 1,385 cases.

* Matrimonial cases added increased 28.7% the highest increase in the State.

* Dispositions in Matrimonial (65.9%) and Criminal (44.8%) both highest increases in the State.

* Matrimonial cases pending declined 41.5%, the largest decrease in the State.

PROJECTS AND MAJOR ACCOMPLISHMENTS

.Reorganization of the Civil and Criminal Assignment Offices and District Court in Morris County
.Use of the Day-One Trial Jury Service Program in Morris County
.Implementation of One Week Jury Service in Sussex and Warren Counties
.Institution of a Municipal Court Budget Program
.Conducted seminars for municipal court clerks
.Development of a Family Mediation Program in Morris County
.Computerization of jury selection in Sussex County

VICINAGE 11 PASSAIC COUNTY

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	4,242	3,746	2,975			
	1982	4,297	4,012	3,225	1.3	7.1	8.4
CRIMINAL	1981	2,191	2,072	1,372			
	1982	2,232	2,300	1,263	1.9	11.0	-7.9
MATRIMONIAL	1981	1,945	1,763	1,491			
	1982	1,940	2,211	1,220	-.3	25.4	-18.2
GENERAL EQUITY	1981	317	409	131			
	1982	303	276	171	-4.4	-32.5	30.5
JUVENILE & JINS	1981	9,357	8,897	3,179			
	1982	8,870	11,524	525	-5.2	29.5	-83.5
DOMESTIC RELATIONS	1981	6,025	5,835	612			
	1982	6,200	5,627	1,185	2.9	-3.6	93.6
DISTRICT COURT	1981	27,681	28,174	2,615			
	1982	26,966	27,312	2,269	-2.6	-3.1	-13.2
OTHER	1981	145	147	18			
	1982	177	161	34	22.1	9.5	88.9
TOTAL	1981	51,903	51,043	12,393			
	1982	50,985	53,423	9,892	-1.8	4.7	-20.2

CASELOAD HIGHLIGHTS 1982

* Vicinage cleared its calendar by 2,438 cases.

* Disposition of Juvenile and JINS cases rose 29.5%, the highest increase in the State.

* Matrimonial case disposition increased 29.5%, second highest increase in the State.

* Total cases pending declined 20.2%, highest in the State. Juvenile and JINS pending also highest in the State (83.5%)

PROJECTS AND MAJOR ACCOMPLISHMENTS

.Institution of a Settlement Program in small claims court

.Computerization of the domestic relations calendar and jail system

.Jury system improvements included use of standard panel sizes for Civil and Criminal voir dire, computerization of daily attendance lists, and preparation for reduction of service to one week

.Continuation of family crisis counseling unit as part of juvenile and domestic relations court

.Expansion of Community Service Program to include municipal court drunk driving convictions and juvenile offenders

.Formation of a Mental Health/Courts/Criminal Justice Committee

.Continuation of Criminal Delay Reduction Program

VICINAGE 12 - UNION COUNTY

	Year	Added	Disposed	Active Pending	Percent Change Added	Disposed	Active Pending
CIVIL	1981	2,913	2,858	3,557			
	1982	3,020	3,422	3,222	3.7	19.7	-9.4
CRIMINAL	1981	2,534	2,323	1,131			
	1982	1,918	2,113	822	-24.3	-9.0	-27.3
MATRIMONIAL	1981	2,293	2,160	1,291			
	1982	1,925	2,208	1,009	-16.0	2.2	-21.8
GENERAL EQUITY	1981	199	234	116			
	1982	229	222	184	15.1	-5.1	58.6
JUVENILE & JINS	1981	7,509	7,703	672			
	1982	7,280	7,114	838	-3.0	-7.6	24.7
DOMESTIC RELATIONS	1981	7,157	7,302	437			
	1982	6,487	6,239	685	-9.4	-14.6	56.8
DISTRICT COURT	1981	22,114	22,284	3,585			
	1982	23,849	23,927	3,507	7.8	7.4	-2.2
OTHER	1981	203	206	70			
	1982	184	201	53	-9.4	-2.4	-24.3
TOTAL	1981	44,922	45,070	10,859			
	1982	44,892	45,446	10,320	0.1	0.8	-5.0

CASELOAD HIGHLIGHTS 1982

* Vicinage cleared its calendar by 554 cases.

* Cases added and cases disposed increased less that 1%.

* General Equity cases added rose 15.1%, among the highest increases in the State.

* Reduction in pending Municipal Appeals, Post Conviction and Probate was 24.3%, the largest increase in the State.

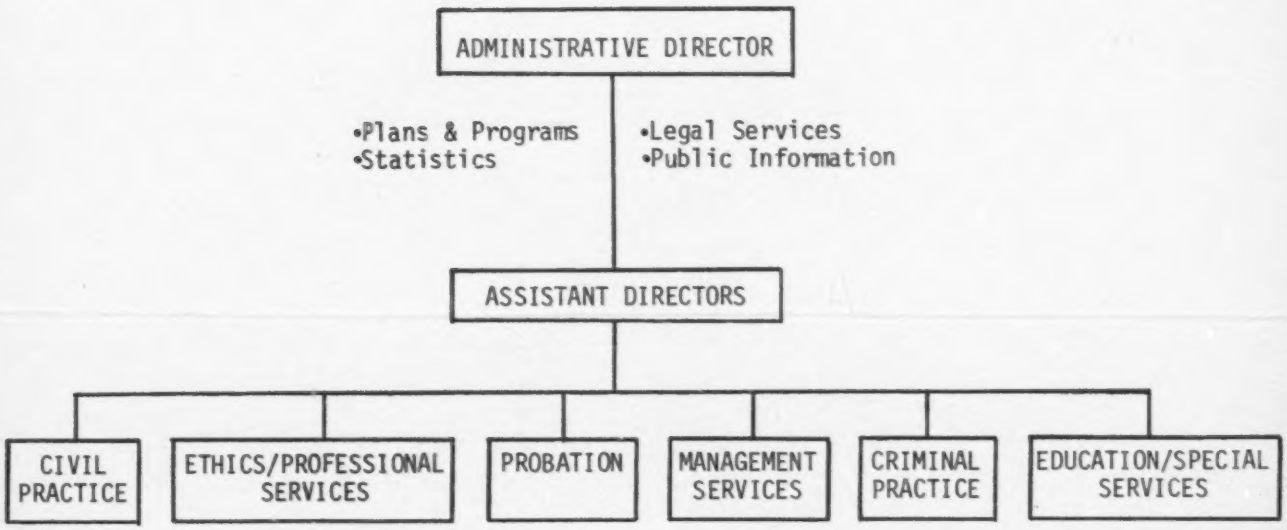
PROJECTS AND MAJOR ACCOMPLISHMENTS

.Utilization of college students as interns to handle domestic violence intake

.Implementation of peer counseling in the pre-trial intervention program

ADMINISTRATIVE OFFICE OF THE COURTS

SEAL OF THE ADMINISTRATIVE OFFICE OF THE COURTS
STATE
OF
NEW
JERSEY


ADMINISTRATIVE DIRECTOR
•Plans & Programs
•Statistics
•Legal Services
•Public Information
ASSISTANT DIRECTORS
CIVIL PRACTICE
ETHICS/PROFESSIONAL SERVICES
PROBATION
MANAGEMENT SERVICES
CRIMINAL PRACTICE
EDUCATION/SPECIAL SERVICES

OFFICE OF THE DIRECTOR

The Office of the Administrative Director is responsible to the Chief Justice for the administration of all court operations. The Administrative Director supervises and manages the Administrative Office, and reviews the clerks' office and trial court operations around the state.

Within the Director's Office, relations with the Supreme Court, the Appellate Division, the Assignment Judges, and all other judges are coordinated. The Director's Office develops and outlines the implementation of major improvement programs in the Judiciary or in the AOC itself. The meetings of the Supreme Court Administrative Conference and of the Assignment Judges are planned and coordinated.

During the last court year, the Director's Office was involved in all of the projects described in the AOC. The particular programs that received special attention were the plans for implementation of the Family Court, the implementation of the Committee on Efficiency recommendation, the Judicial Conference on Probation, the plans for active case management of civil cases, the continued work towards speedy trial in criminal matters, computerization in the courts, the revision of the attorney discipline program in New Jersey, the study of labor relations in the support systems of the Judiciary, and the jury management study.

PLANS AND PROGRAMS

Working within the Office of the Administrative Director, the Plans and Programs unit is responsible for project oversight and monitoring, liaison with trial court administrators, and coordination of the various units and divisions of the AOC.

During the 1982 court year, Plans and Programs was responsible for several major programs. The unit staffs the County/Judiciary Liaison Committee, which is a forum for discussion of court-related issues of concern to county government. The unit has worked on the implementation of the budget directive for the trial courts, which sets out a mechanism for the overall review and coordination of the budgets of the several units of the trial court system. Plans and Programs is also responsible for the census of court-support personnel in the 21 counties, for a study of court management issues in the smallest counties of the state, and for a review of the issues involved in developing a program of direct filing at the county level of Superior Court cases.

Plans and Programs assists the Director in budget planning and financial strategies and in other matters of internal administration within the AOC.

STATISTICAL SERVICES

The Statistical Services unit collects, compiles, analyzes and reports caseload data and other statistical information on the operation of the courts. It prepares caseload statistical reports, projections of trends, assessments of the need for judges in each county of the state, and performance analyses thoughout the Judiciary.

In the 1982 court year, Statistical Services automated all of the data which previously has been manually compiled or processed in a batch mode. As a result, the Chief Justice, the Assignment Judges, and the Administrative Director have had faster and more accurate reports on normal caseload activities. The data base on essential trial court and probation office accomplishments was expanded and the reports revised to give a more precise summary. Also, the unit has begun to work on standards for case processing in several kinds of cases in order to establish a benchmark against which to view the performance of the trial courts.

BEST AVAILABLE COPY

LEGAL SERVICES

The Legal Research Unit provides legal research and counseling for the Administrative Director and the Supreme Court. Often it assists AOC divisions faced with complex or novel legal questions. The unit also serves as legislative liaison for the AOC and provides judges and judiciary support staff with information on legislative developments. In addition, the unit serves as staff to numerous Supreme Court committees, including the Civil Practice Committee, Evidence Rules Committee, Civil Jury Charge Committee, Disciplinary Rules Committee and Wiretap Judges Committee.

The unit performs a number of miscellaneous functions, including (1) acting as secretariat for the Committee on Opinions which determines which of thousands of written court opinions will be published, thereby becoming part of New Jersey's case law, (2) coordinating the review of court rules by the Supreme Court, and rule publication, (3) coordinating all appointments to the numerous rules committees, (4) liaison with the Attorney General for the purpose of obtaining legal representation for judges and court employees who are sued in the course of official duties, (5) registration of all group legal services plans, (6) distribution of law clerk resumes and coordination of Supreme Court approval of all trial level law clerks, (7) involvement in numerous administrative projects such as central criminal intake, local complaint filing, development of family court procedures, appellate reforms and the distribution of Superior Court trust fund reserve monies.

PUBLIC INFORMATION

The Public Information Office is responsible for communicating information about court policies, programs and operations. Studies have consistently shown that the public's major source of information about the courts comes from the media. The Office responds to citizen and media requests for information, and issues press releases and Supreme Court and Appellate Division argument schedules and opinions.

The Office also provides public information assistance to the trial courts through Assignment Judges and Trial Court Administrators. Two workshops for trial court staff were conducted on topics such as guidelines for cameras in the courtroom, and press release writing, and more sessions are planned for the future.

During the year, the Office began publication of COURTWORKS, a quarterly publication for people working in the courts and other interested parties. COURTWORKS is designed to increase communications within the system.

Mailing lists were also expanded to include weekly newspapers, media reporters assigned to county courthouses, county bar associations and key executive and legislative branch officials.

CIVIL PRACTICE DIVISION

The Civil Practice Unit is responsible for the review and administration of rules and procedures in the civil courts, including the Chancery Division of Superior Court (General Equity and Matrimonial), Juvenile and Domestic Relations Court, County District Courts, and the County Surrogates' Offices. It is also responsible for scheduling of medical malpractice panels under Rule 4:21.

The unit provides staff for the following Supreme Court Committees: Civil Practice Committee, Family Court Committee, District Court Committee, Committee on Efficiency, Service of Process Committee, Committee on Mental Commitments, Juvenile and Domestic Relations Court Committee, Committee on Juvenile Restitution, Committee to Evaluate Rule 4:21 (medical malpractice panels), Committee on Small Claims and the Juvenile Restitution Committee. The unit also provides assistance to the State Child Placement Review Council.

NEW PROGRAMS

In addition to committee staffing responsibilities, the Civil Practice unit also conducted preliminary planning for two experimental programs: Civil Appeals Settlement Program and the Individualized Civil Case Management Program. The Civil Appeals Settlement Program is now operating under the direction of retired Appellate Judge Baruch Seidman, who meets with counsel for both sides in selected appellate cases in an attempt to reach settlement. The program has achieved a settlement rate of 40%. The Individualized Case Management Program is to begin with the 1982-83 court year in Union County under the direction of District Court Judge Harvey Halberstadter, and in Burlington County under the direction of Superior Court Judge Martin Haines. The program requires early contact with both sides to obtain information and identify case characteristics necessary to provide the individualized management.

JUVENILE AND DOMESTIC RELATIONS

In the Juvenile and Domestic Relations Court area, staff was responsible for all aspects of court implementation of the Prevention of Domestic Violence Act, preliminary planning prior to formation of the Family Court Committee, and review and analysis of extensive juvenile justice legislation enacted during the year. The unit represented the Judiciary on several inter-agency committees such as the Commission on Children's Services, the Correctional Advisory Council and the Protective Services Training Institute. During the court year, the Unit undertook several studies of the Juvenile and Domestic Relations Courts, analyzed for the Supreme Court requests to access records of those Courts, assisted the Chief Justice in the preparation of his annual wiretap report and filled attorney requests for court opinions.

The unit also developed procedures and provided technical assistance to County Surrogates' Offices to meet the requirements of Rule 4:47-2 (b) involving minors' trust fund accounts. The rule, adopted in September, 1981, requires that these trust funds be intermingled and deposited in federally-insured interest bearing accounts under certain guidelines established by the Administrative Office of the Courts. In most cases, the program has more than doubled interest earned for the trust funds.

Planning began for expansion to other counties of the Union County experiment with night court sessions for small claims as a convenience to the public.

CRIMINAL PRACTICE DIVISION

The Criminal Practice Division provides staff support to all aspects of criminal case administration. It is made up of three major units, Criminal Court Service, Pre-Trial Services, and Municipal Court Services.

Criminal Court Services directs the Statewide Speedy Trial Project, a comprehensive statewide effort which seeks to reduce the time from arrest to disposition in criminal matters from well over a year to 135 days. This unit also conducts extensive sentencing research, implements PROMIS/GAVEL, a statewide automated criminal case processing system, closely reviews the performance and progress of criminal calendars, responds to complaint letters from the public on criminal matters, and acts as liason with the various state and local agencies which are involved with the Criminal Justice System. They also staff the Criminal Practice Committee, Judges' Committee on Capital Cases, and Statewide Speedy Trial Co-ordinating Committee.

The Pre-Trial Services unit co-ordinate the various bail, pre-trial intervention, and dispute resolution units amongst the various counties. This unit developed a system for monitoring the populations in the various county jails, which information has been useful in attending to problems created of recent severe jail overcrowding. It also provided assistance to counties in developing 10% cash bail programs. The unit further supervises the TASC (Treatment Alternatives to Street Crime), a federally funded program providing intensive drug and alcohol rehabilitation programs for selected defendants.

The Municipal Court Services unit provides administrative budget and management assistance to New Jersey's 531 municipal courts. The unit provides monthly information on digest case law, new rules, new legislation and adminstrative procedures through the Monthly Bulletin Letter; annual Municipal Court Judges Conferences and conducts training for approximately 200 municipal court staff members annually; administers experimental Municipal Court programs; and provides budget assistance in conjunction with the Trial Court Administrator in each vicinage.

The following are highlights of special municipal court programs:

- A management study of the Paterson Municipal Court was completed and a local Advisory Committee established to carry out study recommendations. A management study of the Camden Municipal Court was begun with the assistance of the Rutgers School of Law. A study of Newark Municipal Court was previously completed, under a study plan that will eventually cover the 10 largest Municipal Courts, which handle 30% of the total statewide Municipal Court caseload.

- An Urban Court Judges' Seminar was conducted for judges from the largest courts in the State to provide a forum for discussion of common problems, potential solutions and a general exchange of information.

- The annual Municipal Court Judges Conference was held on the topics of the Prevention of Domestic Violence Act and Community Service Sentencing.

- Monitoring continued for two experimental programs: the use of credit cards for bail in Municipal Courts in the Atlantic vicinage, and an alternative sentencing program for first-offender shoplifters in conjunction with the National Institute for Correctional Training (NICT).

ETHICS AND PROFESSIONAL SERVICES DIVISION

The Division of Ethics and Professional Services (DEPS) is responsible for functions relating to judicial ethics, professional ethics and unathorized practice of law and supervision of the lawyer disciplinary and fee arbitration systems throughout the State.

DEPS takes any emergent action that may be necessary on a statewide basis to protect the public interest. Usually such action is in the nature of an application to the Supreme Court for temporary suspension of an attorney as the result of a criminal conviction, a misappropriation of clients' funds or a mental or physical disability. A total of 27 applications for temporary suspensions of an attorney were approved by the Supreme Court during the year. One judge who is already temporarily removed as a judge, was temporarily suspended as an attorney, pending appeal of a criminal conviction.

The ethics and fee arbitration systems begin at the local level where a District Ethics Committee and a Fee Arbitration Committee operate in twelve geographic districts. The Committees consist of volunteer lawyers and public members, all of whom are appointed by the Supreme Court. They receive and investigate all complaints in their district of lawyer misconduct or excessive fees. DEPS supervises the operation of the ethics committees and provides them with some investigative and prosecutorial assistance as well as administrative and auditing assistance.

DEPS also renders administrative agency advice and supervises the twelve Fee Arbitration Committees which serve clients and lawyers alike with a fast, simple and cost-free way to resolve disputes over the reasonableness of the fee charged by an attorney.

The job of monitoring and assisting ethics and fee committees has grown considerably over the last seven years. In 1975, there were only 576 total ethics and fee disputes based upon a gross attorney population of some 16,000. In 1981, the total attorney population increased to 23,000 and the total ethics and fee complaints rose to 2,025, an increase of 252%.

DISCIPLINARY REVIEW BOARD

In addition, DEPS serves the Supreme Court's Disciplinary Review Board (DRB) which was created in 1978 as a statewide appellate body to supervise the ethics system across the State by monitoring the determinations reached by the 12 district ethics committees; it hears oral argument on presentments for public discipline of members of the bar from the various ethics committees and makes recommendations to the Court on the discipline to be imposed; it reviews appeals from decisions to dismiss by the ethics committees and, in a more limited fashion, from fees awarded by the fee arbitration committees; approves all private reprimands issued by the ethics committees to attorneys; hears motions for attorneys' temporary suspension from the practice of law; and receives and considers all applications of suspended attorneys seeking reinstatement to practice.

DEPS supplies both legal and administrative support for the DRB. The Division Assistment Director acts as Secretary to the DRB and a staff attorney works full-time on DRB with legal staff and often appear before the Supreme Court on arguments in disciplinary cases. In calendar 1981 the Board's workload increased significantly. Presentments recommending public discipline more than doubled from 24 to 49 over the prior year.

RANDOM AUDIT PROGRAM

1982 saw the completion of the first full year of the Random Audit Program, which is also administered through DEPS and is financed by the Clients'

Security Fund. The Program, which employs two full-time auditors and clerical staff involves the periodic review of business and trust account records that all attorneys are required to maintain when handling clients' funds in accordance with Supreme Court Rule. New Jersey thus became one of only three states in the nation to undertake a full-time compliance program to insure that lawyers are fully aware of and comply with stringent recordkeeping requirements imposed by the Court. The principal objective of the program is supervisory and educational, not punitive, and is designed to aid the attorney in acquiring better methods in office accounting procedures. Practitioners are randomly selected and audits are made on a county by county basis. During its first year of operation, 175 audits were conducted in 13 counties.

ADVISORY COMMITTEE ON JUDICIAL CONDUCT

Complaints from citizens who feel that judges have engaged in unethical or improper conduct are considered by the Advisory Committee on Judicial Conduct (ACJC). The ACJC is appointed by the Supreme Court and is comprised of retired Supreme Court Justices, practicing attorneys, and public members.

The Committee investigates and reviews complaints alleging unethical or unprofessional conduct on the part of members of the judiciary and dismisses same where no improper conduct is discerned. The Committee may dismiss a matter with a private admonition if it finds that the conduct, although improper, was minor in nature and not likely to reoccur. The Committee holds formal hearings in matters where there is a substantial indication of improper activity by a judge and, if misconduct is established, it reports such findings to the Supreme Court by way of Presentment, containing a recommendation for discipline. In the past five years, two judges have been removed from office and five have been publicly censured by the Court.

DEPS acts as counsel to the ACJC during all formal hearings and researches legal issues presented to the Committee.

ADVISORY COMMITTEE ON PROFESSIONAL ETHICS

An attorney, uncertain whether representation of a particular client will create an ethical problem, may make an inquiry to the Supreme Court Advisory Committee on Professional Ethics (ACPE). The ACPE considers inquiries from bar associations as well. The Committee publishes its opinions for the guidance of the bar deciding questions of ethics which arise in the course of practice. Once published, these opinions are binding on future practice unless revised by the Supreme Court on appeal.

The Division Assistant Director serves as Secretary to the ACPE, and the Division staff provides administrative and legal support.

UNAUTHORIZED PRACTICE OF LAW COMMITTEE

To help insure that legal services are performed by qualified practitioners the Supreme Court Unauthorized Practice of Law Committee (UPLC) entertains complaints concerning the practice of law by unlicensed persons. The Committee also renders advisory opinions which renders advisory opinions which are published as guildance to the bar.

A DEPS staff attorney supplies administrative and legal support and acts as Secretary to the UPLC.

CLIENTS' SECURITY FUND

Clients who feel that they have suffered out-of-pocket financial loss as a result of their attorney's dishonest conduct may make a claim to the Clients' Security Fund of the Bar of the State of New Jersey. Established as a cooperative effort between the Supreme Court and the

New Jersey State Bar Association, the Fund is supported by yearly payments from members of the bar. The Fund Trustees, appointed by the Supreme Court and comprised of members of the bar and public, review claims and hold hearings. Since its inception in 1969, the Fund has paid out over $4 million to claimants.

The Fund has the authority to institute court proceedings for the appointment of a custodial receiver to take over the assets of any attorney found misusing clients' money in order to ascertain, conserve and distribute same for the benefit of injured clients.

DEPS supplies legal and administrative support for the Fund.

PROBATION SERVICES DIVISION

Probation Services oversees the work of the 21 county probation departments. It is responsible for operations of the Child Support Enforcement Program, training, collective bargaining, research, technical assistance and the Interstate Compact for the supervision of adults and juveniles on probation. The Division assists the Judiciary in improving the delivery of probation services to the courts, public and clients by providing administrative meetings with Chief Probation Officers, Liaison with other state and local agencies, outside employment reviews, organizational reviews and a probation officer outside employment registry.

During the year, Division staff was extensively involved in the 1982 Judicial Conference on Probation by assisting the Judicial Conference Planning Committee in developing the recommendations for Probation reform.

COMMUNITY SERVICE

Probation Services was responsible for coordination of the Community Service Sentencing Program, alternative sentencing requiring a certain amount of service to public or non-profit agencies throughout the counties, and for overseeing on the distribution of $600,000 in State budget appropriations to counties for existing and new community service programs. Probation Departments are responsible for screening potential participants in the program and making recommendations to judges.

INTENSIVE SUPERVISION

The unit also worked closely with the executive branch on an experimental program of intensive supervision, which subsequently was authorized by law with a $ 1.8 million appropriation. The program, unique in the United States, would permit a defendant sentenced and incarcerated in a State prison to apply, within the first 60 days of incarceration, for release under intensive supervision.

After careful screening, a defendant's application is reviewed by judges who may resentence the defendant to the program under stringent conditions. Supervision will be carried out by specially selected and trained officers whose caseload would permit frequent contact and monitoring of the individual. Planning for the program, which was developed in response to jail overcrowding, is underway and it is expected to begin operating in the spring of 1983.

PROBATION ADMINISTRATIVE MANAGEMENT SYSTEMS

Another unique experimental program, the Model Systems Case Management Project, began in four county probation departments, Salem, Somerset, Ocean and Bergen. This is a cooperative effort with the National Institute on Corrections to develop and implement an integrated classification/case management system. The model system project requires that each participating agency have the following components as part of their supervision effort: a classification mechanism, dif-

ferential levels of supervision, objective-based case planning, an automated management information system, and a weighted workload system. The project is directed by the Probation Administrative Management Systems (PAMS) staff who are coordinating activities and providing technical assistance to the counties.

PROBATION TRAINING

The Probation Training Unit provided 18,212 staff hours of training during the year in a variety of courses ranging from a Basic Orientation Course for new staff members to specialized courses in Counseling, Family Crisis Intervention, and Management Techniques for 658 county staff members.

The 1982 court year was the first in the last five years in which there was a reduction in both the number of staff members trained and the total number of training hours completed, as a result of the end of Federal funding for training programs and the reduction of State funding for the Probation Training Program.

EDUCATION AND SPECIAL SERVICES DIVISION

The Special Services unit is responsible for judicial education and training, court reporting services, jury utilization and management, and a new program providing technical assistance to the trial courts on support systems and procedures, and library services.

Special Services also provided staff to the following Supreme Court Committees: Committee on Jury Utilization and Management, Sound Recording Services Committee, Committee on Efficiency and Judicial Labor Relations and the Advisory Committee on Computerization.

JUDICIAL EDUCATION AND TRAINING

Judicial Education and Training is responsible for providing education programs for new judges and continuing-education programs for judges and court support personnel. The unit also provides continuing education for judges with emphasis on highly specialized areas of the law and new developments in the law.

Judicial education activities during the court year included a five-day residential Orientation Seminar for 31 new judges, a three-day residential Judicial College wherein 22 courses were offered to all upper court judges, and a two-day residential Orientation Seminar for 40 new municipal court judges. In addition, there were seminars for judges and court support personnel on Urban Municipal Courts, Juror Utilization and Managment, Micro-filming, Court Administration, Case Management, Time Management, and Management Training.

Participation in out-of-state programs serves as a complement to in-state programs. Seventy-eight judges and staff attended various national educational institutions including the National Judicial College, National College of Juvenile Justice, American Academy of Judicial Education, Institute for Court Management, National Council of Juvenile and Family Court Judges, American Institute of Real Estate Appraisers, and the Institute of Judicial Administration.

Additional service to the judges and court support staff is provided by publication of manuals, monthly bulletin letters, COURTWORKS, a quarterly newsletter, and memoranda related to recent legal-judicial developments. The audio cassette library has been expanded to include virtually all educational programs. Lectures and presentations are sound recorded or videotaped and made available on a loan basis.

COURT REPORTING SERVICES

The Court Reporting Services Section is responsible for (a) supervising the maintenance of a reliable system for the daily provision of court reporter services to cover proceedings in the Superior Court, and to cover other proceedings as required by the Supreme Court or the Administrative Director; (b) directing an effective system for control of timely filing by court reporters of transcripts of trial court proceedings ordered for use on appeal to the Superior Court, Appellate Division; and (c) all aspects of court reporter administration.

SOUND RECORDING SERVICES

Sound Recording Services provides recording equipment and technical advice to Matrimonial, Tax, County District and Juvenile and Domestic Relations Courts. Field staff inspects court facilities, approves sound recording equipment purchases and installation at the municipal court level, supervises transcript production and appeal processing, and provides individual on-site training and assistance when necessary.

OFFICE OF LIBRARY SERVICES

The Office of Library Services provides professional law library services to the Justices of the Supreme Court, the judges of the Appellate and Chancery Divisions of Superior Court, the Tax Court, and the staff of the Administrative Office of the Courts. This totals 56 libraries at 22 locations around the state. The office is also responsible for distribution of court reports throughout the state and the home library program in which 160 judges participate.

During the year, a library was set up for the Chief Justice, four Appellate Division libraries were relocated, four home libraries were transferred and preparations were made for the move into the Justice Complex.

SUPPORT SYSTEMS

During the 1982 court year, the Support Systems unit was established to provide technical assistance to the trial courts in the following areas: office automation, development of financial control systems, budget development and cost analysis, work measurement and productivity standards, and a computerized inventory of personnel. Technical material and implementation strategies regarding office automation (word processors, micro and mini-computers) are available to trial court personnel on request.

LEGAL SYSTEMS AND PROCEDURES

The Legal Systems and Procedures unit was formed during the year with responsibility for systems and procedures affecting trial court clerks, developing and supervising records management systems, improving case processing, and coordinating the preparation of manuals for the procedural operations of the trial courts.

During the 1981-82 court year, staff has provided on-site technical assistance to several trial courts to facilitate and streamline case processing produres. Staff also has served as liaison with civil assignment clerks statewide, to encourage improved communication and greater uniformity in case management techniques.

First year projects have included the following: review and implementation of the Committee on Efficiency recommendations relating to clerks and records and information management; improvement of civil case processing through the introduction of local filing and revised clerical and assignment procedures; and the development of trial court case processing guidelines. Each of these efforts has contributed to the development of a more efficient trial court case processing system.

MANAGEMENT SERVICES DIVISION

Management Services is responsible for general administration, including personnel, budget preparation, payroll, other fiscal matters such as the Trust and Special Funds, and central services such as office space and equipment, chambers and courtrooms, and supplies. Management Services provided staff to the Supreme Court Committee on Efficiency and the Committee on Judges' Pensions and Salaries.

FISCAL

Preparation of the annual Judiciary budget request and monitoring budget funds appropriated continue to be the major focus. Budget projections by account through the end of the fiscal year are now provided on a monthly basis. During the year, a new cost center accounting system was developed, staff training was completed for on-line treasury accounting system and the budget submission format was revised to reflect inflation factors, priority programs and other specific issues.

PERSONNEL

The Equal Employment Oppportunity Plan was revised during the year, and negotiations were completed for a Judiciary labor contract for administrative/clerical and supervisory bargaining groups. In addition, a job classification survey and revision of Judicial standards were completed.

CENTRAL SERVICES

As a result of the move to the Richard J. Hughes Justice Complex, seven leases for space in the City of Trenton were terminated or sold to other state agencies for $10,000. Following a formal study of effectiveness, word processors were purchased for each of the Justices' secretaries to reduce drafting time in opinion writing and provide better data collection and retrieval.

Permanently assigned vehicles have been placed in a pool for use during the day, reducing the need for reimbursement to employees for use of personal cars for business.

The number of telephone special features has been decreased to reduce telephone costs, and inactive records are being transferred to the State Storage Center, saving warehouse costs.

TRUSTS AND SPECIAL FUNDS

The Trust and Special Funds Section has custodial responsibility for funds in excess of $83 million. The Trust Fund accounts for $67 million, which represents the monies paid into Court pending resolution of litigations involving Condemnation procedures, Tax Foreclosures, Chancery and Matrimonial matters.

The Special Funds Section accounts for the remaining $16 million, which represents Funds for 19 Federal Grants, and the Child Support and Paternity Program (Title IV-D).

During the 1981-82 calendar year, the Trust Fund converted from a manual record keeping system, to a quasi-automatic system; whereby, all access into the Trust Fund accounts is done automatically, as are the entries into the General Ledger. The typing and signing of checks has remained a manual operation.

The unit is working with the Attorney General's office on plans for distributing some $18.3 million in excess interest to payees from the Trust Fund. A special committee was formed which made specific recommendations to the Chief Justice regarding the manner of distribution.

In the near future, litigation will be instituted by the Attorney General for the purpose of seeking court approval of the final plan. Once approval is obtained, the actual distribution from the Fund will commence.

S5375-1

1983 ANNUAL REPORT

NEW JERSEY JUDICIARY

SEPTEMBER 1, 1982—AUGUST 31, 1983

ADMINISTRATIVE OFFICE OF THE COURTS

Richard J. Hughes Justice Complex • CN-037 • Trenton • New Jersey • 08625

ADMINISTRATIVE OFFICE OF THE COURTS
STATE OF NEW JERSEY

ROBERT D. LIPSCHER
ADMINISTRATIVE DIRECTOR OF THE COURTS

CN 037
TRENTON, NEW JERSEY 08625

March 16, 1984

To the Honorable Chief Justice and
Justices of the Supreme Court:

I am pleased to submit the Annual Report of the Judiciary for the court year 1983. For the fourth consecutive year, New Jersey's upper courts have disposed of more cases than were filed during the year.

In addition to presenting case statistics and analysis, this report includes information on various innovative programs and procedures undertaken during the year to improve the efficiency and accessibility of the court system. These ongoing efforts to make a good system even better will continue to enhance New Jersey's reputation for progressive court management and administration.

Sincerely,

Robert D. Lipscher

Robert D. Lipscher

TABLE OF CONTENTS

NEW JERSEY COURT SYSTEM CHART 1

OVERVIEW 3

FOCUS 17

SUPREME COURT COMMITTEE HIGHLIGHTS 21

APPELLATE COURTS 28

- Supreme Court 28
- Superior Court - Appellate Division 34

TRIAL COURTS of General Jurisdiction 37

- Superior Court - Law Division - Civil 37
- Superior Court - Law Division - Criminal 39
- Superior Court - Chancery Division - General Equity 42
- Superior Court - Chancery Division - Matrimonial 44

TRIAL COURTS of Limited Jurisdiction 46

- Juvenile and Domestic Relations Court 46
- County District Court 48
- Tax Court 50

PROBATION 61

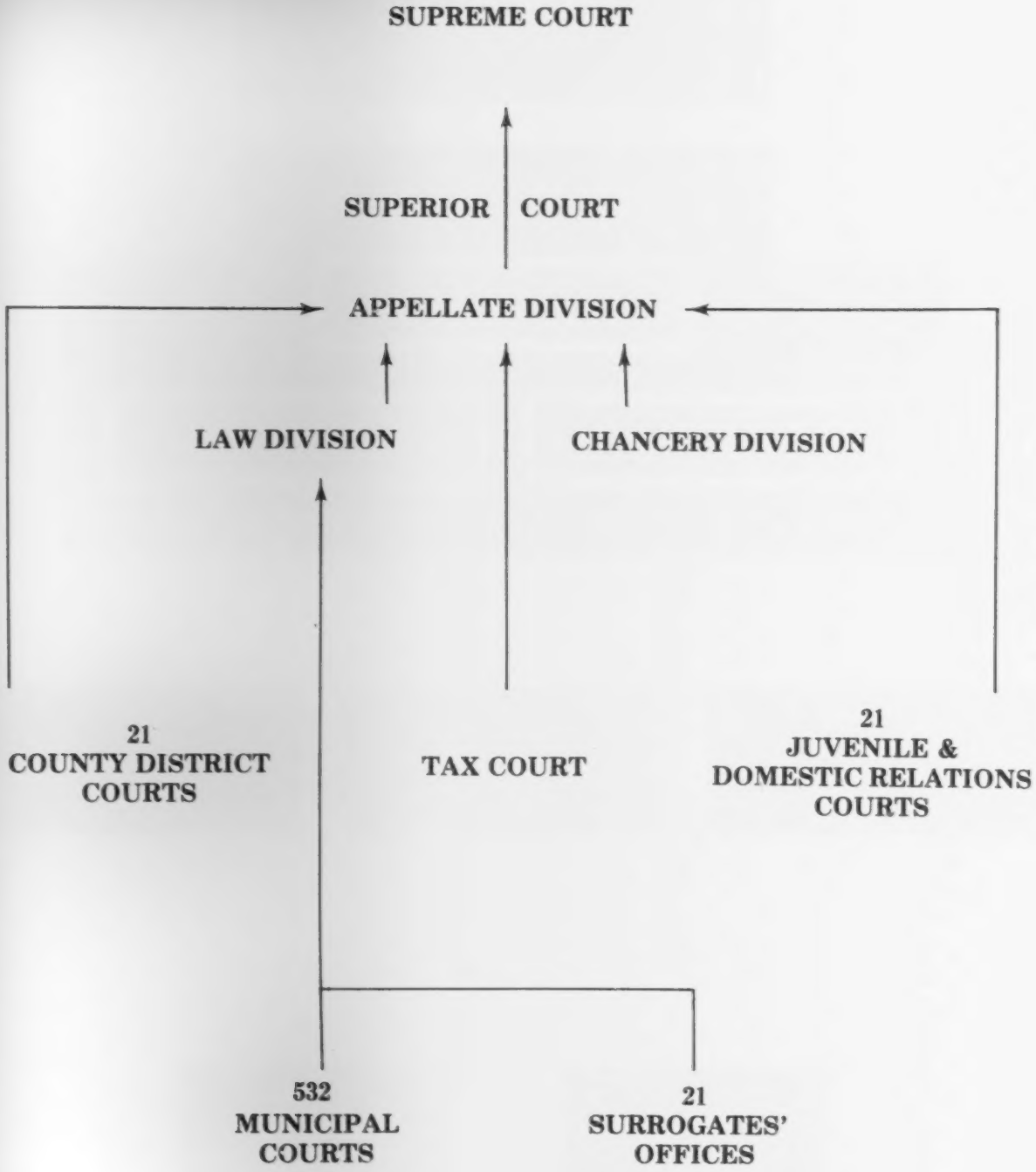
MUNICIPAL COURTS 67

VICINAGE PROFILES 74

ADMINISTRATIVE OFFICE OF THE COURTS 89

The Court System

(AS OF AUGUST 31, 1983)



# of New Jersey

(JUSTICES, JUDGES AND JURISDICTIONS)

SUPREME COURT: Chief Justice and 6 Associate Justices. Initial term of 7 years with tenure on reappointment. Mandatory retirement at 70.

Final Appeal in:

1. Constitutional questions
2. Issues where dissent in Appellate Division
3. Capital causes
4. Certifications
5. In such causes as provided by law

SUPERIOR COURT: 236 Judges authorized. Term, tenure and retirement same as Supreme Court. (Tenured former County Court judges have tenure on the Superior Court, and former County Court judges not having tenure as of December 7, 1978 hold office for the unexpired portion of their terms and acquire tenure upon reappointment.)

APPELLATE DIVISION

Appeals from:

1. Law and Chancery Divisions
2. County District Courts
3. Juvenile & Domestic Relations Courts
4. State Administrative Agencies
5. Tax Court
6. As provided by law

LAW DIVISION

1. General jurisdiction in all causes, civil and criminal
2. Proceedings in lieu of prerogative writs, except review of state administrative agencies
3. Appeals from Municipal Courts and Wage Collection Section, Office of Wage and Hour Compliance
4. Probate

CHANCERY DIVISION

1. General equity
2. Matrimonial
3. Probate

COUNTY DISTRICT COURTS: 39 Judges authorized. Term: 5 years. Tenure after 10 years and third appointment. Mandatory retirement at 70.

1. Contract, penalty, and tort actions at $5,000
2. Landlord and tenant
3. Small claims at $1,000
4. Concurrent criminal and quasi-criminal jurisdiction with Municipal Courts
5. Bastardy and filiation proceedings
6. Actions by creditors against an estate up to $5,000
7. Up to $5,000 for disciplinary sanctions by professional and occupational boards of the Division of Consumer Affairs.

TAX COURT (Effective July 1, 1979): 12 Judges authorized. Term same as Supreme Court except for the 1979 appointments. Tenure and retirement same as Supreme Court. The Tax Court reviews the determinations of agencies and officials charged with administration of state and local taxes and in particular:

1. Local property tax assessments
2. State tax assessments
3. Equalization tables promulgated by the director of the Division of Taxation or the County Boards of Taxation

JUVENILE AND DOMESTIC RELATIONS COURTS: 35 Judges authorized. Term: 5 years. Tenure after 10 years and third appointment. Mandatory retirement at 70.

1. Exclusive jurisdiction over juvenile delinquency* and "juveniles in need of supervision."
2. Child abuse matters
3. Support
4. Temporary custody of children
5. Bastardy and filiation proceedings

MUNICIPAL COURTS: 359 Judges. Term: 3 years.

1. Traffic and motor vehicle violations
2. Ordinance violations
3. Disorderly persons offenses
4. Fish and game and navigation violations
5. Bastardy and filiation proceedings
6. Other specified crimes (where penalty does not exceed 1 year incarceration or $1,000 fine) and offenses (where value of property does not exceed $500), including some crimes where indictment and trial by jury can be waived.
7. Probable cause hearings on indictable offenses.

SURROGATES' OFFICES: 21 Surrogates. Elected. Term: 5 years.

1. Uncontested probate matters
2. Deputy clerk of the Superior Court for probate matters

*"Juvenile delinquency" excludes violations of chapters 3, 4, 6 and 8 of Title 39 of the N.J. Statutes where juveniles are 17 years old.

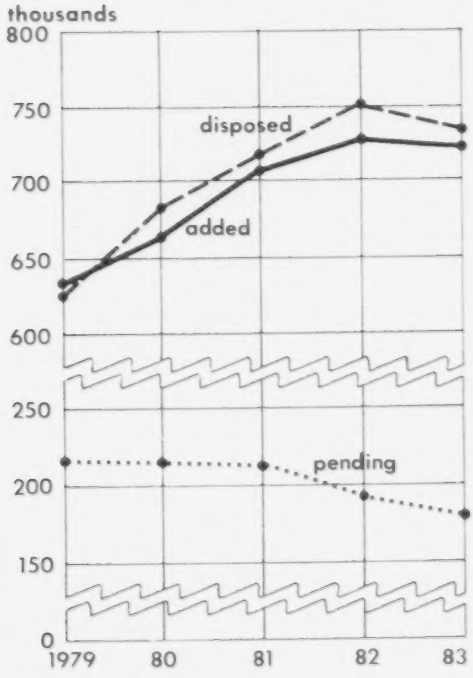
1983 OVERVIEW

OVERVIEW

In the 1983 court year, the Judiciary cleared the calendar for the fourth consecutive year. It disposed of 10,096 more cases than were filed, thus reducing the backlog of pending cases for an unprecedented fourth time in a row.

Clearing the calendar has been the explicit goal of case management in the New Jersey courts since 1980. While historically it has been far more common to add several thousand cases to the list of pending matters each year, New Jersey over the last four years has rolled back the tide of the backlog and slowly reduced its size.

CASELOAD TRENDS
1979-1983



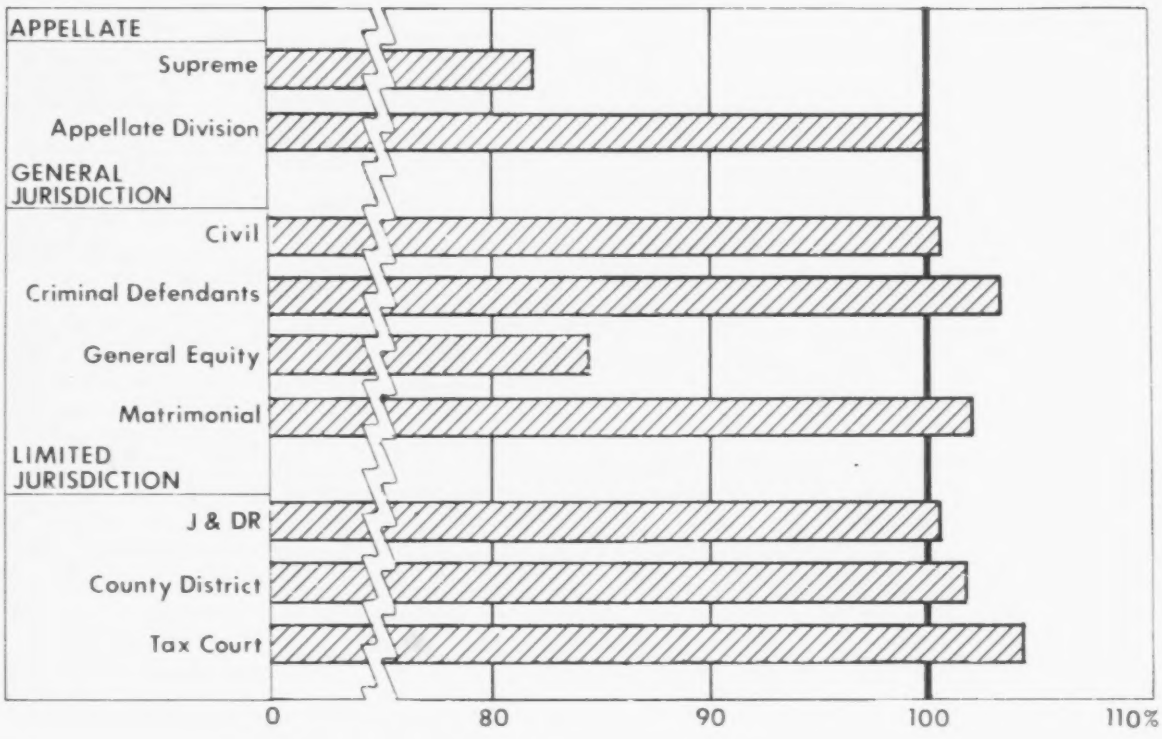
The number of cases added in the court system rose only slightly in the 1983 court year - by 1.2% to 737,704 cases. This figure, though, is the highest ever recorded, an 18% increase since 1979.

Dispositions declined slightly in 1983, by 0.3%. This was the first time in many years that the total number of dispositions had declined, but the 1983 total of 747,800 was still 21% higher than in 1979.

As a result of the success in clearing the calendar, the total number of pending cases declined by 5.1%. There were 181,993 cases pending at the end of the court year, the lowest number since 1978, and a 17% decline from the 1979 total.

Calendar clearance has been achieved by means of the extraordinary efforts of all people in the justice system. The productivity of the judges has increased dramatically. In addition, management improvement programs have produced better service to the litigants and the public. In 1983, almost all calendars and counties cleared so that the number of pending cases declined. Of the nine major court calendars--Supreme Court, Appellate Division, Criminal, Civil, Matrimonial, General Equity, Juvenile and Domestic Relations, District, and Tax--seven had a decline in cases pending. Of the twenty-one counties, fifteen cleared their calendars overall. The chart on Page 4 shows the clearance ratio (a ratio of dispositions to cases added) of nine major calendars.

CALENDAR CLEARANCE 1983



CASES ADDED

The growth in cases added occurred especially in the most time-consuming calendars: the Supreme Court, the Appellate Division, and the Superior Court calendars of Equity, Civil, Criminal and Matrimonial. The high-volume calendars of Juvenile and Domestic Relations and District Court declined somewhat. This trend of increases in the more time-consuming calendars shows how significant it was to clear the calendar overall.

CASES ADDED BY CALENDAR
1982-1983

	1982	1983	% Change
Appellate			
Supreme Court	298	568	90.6
Appellate Division	6,038	6,393	5.9
General Jurisdiction Trial Court			
Criminal (Defendants)	35,414	55,855	1.2
Civil	53,647	55,625	3.7
General Equity	4,291	7,125	66.0 *
Matrimonial	29,531	30,270	2.5
Limited Jurisdiction Trial Court			
Juvenile Delinquency	98,213	91,020	-7.3
JINS	11,596	11,461	-1.2
Domestic Relations	99,047	97,963	-1.1
County District	380,735	371,638	-2.4
Tax Court	6,376	8,647	35.6
Domestic Violence	N/A	16,442	N/A
Minor Trial Court Calendars			
Municipal Appeals	3,147	3,772	19.9
Post-Conviction Relief	167	243	45.5
Probate	626	679	8.5
Total w/o Dom. Violence	729,126	721,259	-1.1
Total with Dom. Violence	729,126	737,701	+1.2

* During 1983, the definition of cases added was changed in the General Equity calendar, thus producing an artificially high ratio of growth.

Examining the trends in cases added by vicinage, ten of the fifteen vicinages saw increases in the volume of cases coming into the courts. Particularly remarkable is the 11.7% increase in the Atlantic/Cape May vicinage, followed by the 8.0% increase in Union County. (See chart on Page 6)

CASES ADDED BY VICINAGE
1982-1983

	1982	1983	% Change
Vic #1	35,780	39,169	9.5
Atlantic	26,906	30,192	12.2
Cape May	8,874	8,977	1.2
Vic #2			
Bergen	58,529	59,622	1.9
Vic #3			
Burlington	25,971	24,874	-4.2
Vic #4			
Camden	51,309	50,848	-0.9
Vic #5			
Essex	137,986	127,176	-7.8
Vic #6			
Hudson	59,257	58,427	-1.4
Vic #7			
Mercer	32,198	32,896	2.2
Vic #8			
Middlesex	51,677	47,551	-8.0
Vic #9			
Monmouth	42,822	42,952	0.3
Vic #10	31,140	31,608	1.5
Morris	23,539	24,160	2.6
Sussex	7,601	7,448	-2.0
Vic #11			
Passaic	50,985	50,169	-1.6
Vic #12			
Union	44,892	47,397	5.6
Vic #13	25,023	24,056	-3.9
Somerset	13,999	13,314	-4.9
Hunterdon	4,977	4,651	-6.6
Warren	6,047	6,091	0.7
Vic #14			
Ocean	28,140	28,076	-0.2
Vic #15	40,705	40,830	0.3
Gloucester	16,633	15,696	-5.6
Cumberland	15,846	17,429	10.0
Salem	8,226	7,705	-6.3
State Total w/o Dom. Violence	716,414	705,651	-1.5
Domestic Violence	N/A	16,442	N/A

DISPOSITIONS

Total dispositions declined in 1983, for the first time in many years. Nevertheless, the decline was only 0.3%, and it was due in large measure to the reduction in volume in the high-volume calendars. Particularly remarkable are the 61% increase in the dispositions of the Supreme Court, the 38% in General Equity, and the 17% in the Appellate Division. The increased volume of work is these three time-consuming calendars shows the sustained level of productivity in the New Jersey courts. The Tax Court dispositions declined substantially, due to the fact that thousands of pending cases the court had when it was created in 1979 have almost entirely been disposed of.

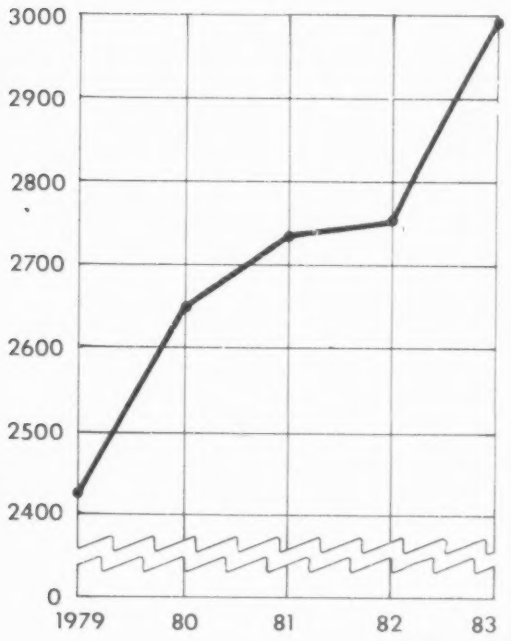
CASE DISPOSITIONS BY CALENDAR
1982-1983

	1982	1983	% Change
Supreme Court	288	466	61.8
Appellate Division	5,423	6,396	17.9
General Jurisdiction Trial Court			
Criminal (Defendants)	36,962	37,178	0.6
Civil	54,962	55,999	1.9
General Equity	4,341	6,011	38.5
Matrimonial	32,980	30,911	-6.3
Limited Jurisdiction Trial Court			
Juvenile Delinquency	101,793	92,132	-9.5
JINS	11,915	11,417	-4.2
Domestic Relations	99,326	98,407	-0.9
County District	386,006	378,880	-1.8
Tax Court	12,288	9,003	-26.7
Domestic Violence	N/A	16,465	N/A
Minor Trail Court Calendar			
Municipal Appeals	3,020	3,617	19.8
Post-Conviction Relief	143	215	50.3
Probate	643	703	9.3
TOTAL w/o Dom. Violence	750,090	731,335	-2.5
Domestic Violence	N/A	747,800	N/A

The best indication of productivity is dispositions per judge. This measure increased substantially over the last year, from 2,742 cases per trial court judge to 2,999 cases, a 9.4% rise. Since 1979, productivity has increased 24%.

DISPOSITIONS PER JUDGE

1979-1983



At the vicinage level, total dispositions stayed at about the 1982 level, declining by just 156 cases, or 0.02%. Nevertheless, nine of the fifteen vicinages saw increases in dispositions. The largest increases came in the Atlantic/Cape May vicinage and in Union. (See table on Page 9)

Examining dispositions at the vicinage level, there was an increase in the number of pleas and settlements and a decline in the number of trials and hearings. Nevertheless, when broken down by calendar, it is clear that most of the drop in trials and hearings occurred in the high-volume calendars of District Court, Juvenile Delinquency and Domestic Relations. The number of Civil trials increased by almost 12%, and Equity trials by 10%. Also, the number of Criminal trials dropped, but only by 5%. In short, while the number of trials and hearings declined, the amount of judge-time spent on them remained about the same, probably indicating greater complexity in the trials.
(See table on Page 10)

CASE DISPOSITIONS BY VICINAGE
1982-1983

Vicinage	1982	1983	% Change
Vicinage #1	36,541	39,696	8.6
Atlantic	27,692	30,674	10.8
Cape May	8,849	9,022	2.0
Vicinage #2			
Bergen	60,489	60,966	0.8
Vicinage #3			
Burlington	26,474	25,349	-4.3
Vicinage #4			
Camden	51,936	51,494	-0.9
Vicinage #5			
Essex	139,429	129,689	-7.0
Vicinage #6			
Hudson	60,099	60,283	0.3
Vicinage #7			
Mercer	33,210	33,082	-0.4
Vicinage #8			
Middlesex	52,122	47,347	-9.2
Vicinage #9			
Monmouth	43,924	43,647	-0.6
Vicinage #10	32,037	31,324	-2.2
Morris	24,312	24,081	-1.0
Sussex	7,725	7,243	-6.2
Vicinage #11			
Passaic	53,423	50,933	-4.7
Vicinage #12			
Union	45,446	48,185	6.0
Vicinage #13	26,205	24,743	-5.6
Hunterdon	14,548	13,810	-5.1
Somerset	5,122	4,896	-4.4
Warren	6,535	6,037	-7.6
Vicinage #14			
Ocean	28,492	28,186	-1.1
Vicinage #15	42,264	40,546	-4.1
Cumberland	18,021	15,587	-13.5
Gloucester	15,841	17,157	8.3
Salem	8,402	7,802	-9.1
State Total	732,091	715,470	-2.3
Domestic Violence	N/A	16,465	N/A
Total with Dom. Violence	732,091	731,935	-0.02

/

*METHOD OF DISPOSITION
1982-1983

	1982	1983	% Change
Criminal Defendants			
Total Trials	3,075	2,913	-5.3
Tried to Completion	2,779	2,622	-5.6
Partially Tried	296	291	-1.7
Guilty Plea	22,842	22,351	-2.1
Other	11,045	11,914	7.9
Total Dispositions	36,962	37,178	0.6
Civil			
Total Trials	3,979	4,450	11.8
Tried to Completion	2,673	2,916	9.1
Partially Tried	1,306	1,534	17.5
Settlements/Dismissals	49,882	50,491	1.2
Other	1,101	1,058	-3.9
Total Dispositions	54,962	55,999	1.9
General Equity			
Total Trials	983	1,081	10.0
Tried to Completion	721	867	20.2
Partially Tried	262	214	-18.3
Settlements/Dismissals	2,932	3,983	35.8
Other	426	**947	22.3
Total Dispositions	4,341	6,011	38.5
Matrimonial			
Hearing	31,035	28,180	-9.2
Contested	12,849	11,178	-13.0
Uncontested	18,186	17,002	-6.5
Settlements/Dismissals	1,919	2,249	17.2
Other	26	**482	1,753.8
Total Dispositions	32,980	30,911	-6.3
Juvenile Delinquency			
Hearing	55,365	49,871	-9.9
With Counsel	38,056	36,097	-5.1
Without Counsel	17,309	13,774	-20.4
Referred or Transferred	38,419	35,044	-8.8
Other	8,009	7,217	-9.9
Total Dispositions	101,793	92,132	-9.5
JINS			
Hearings	6,097	5,794	-5.0
With Counsel	2,651	2,547	-3.9
Without Counsel	3,446	3,247	-5.8
Referred or Transferred	4,830	4,701	-2.7
Other	988	922	-6.7
Total Dispositions	11,915	11,417	-4.2
Domestic Relations			
Hearings	80,037	67,619	-15.5
Inactive	9,223	9,199	-0.3
Other	10,066	6,874	-31.7
Intake	N/A	14,715	N/A
Total Dispositions	99,326	98,407	-0.9
District Court			
Trials	65,842	58,669	-10.9
Tried to Completion	53,809	51,022	-5.2
Partially Tried	12,033	7,647	-36.4
Settlements/Dismissed	162,844	175,194	7.6
Other	157,320	145,017	-7.8
Total Dispositions	386,006	378,880	-1.8
TOTAL			
Trials/Hearing	246,413	218,577	-11.3
Pleas/settlements/dismissed	240,419	268,983	11.9
Other	241,453	223,375	-7.5
TOTAL DISPOSITIONS	728,285	710,935	-2.4

*Does not include minor courts and domestic violence.
**Cases transferred to another county included in 1983 only.

CASES PENDING

Total cases pending declined by 10,000 cases during the 1983 court year, or 5.1%. With the fourth consecutive year of calendar clearance, the number of cases pending is at the lowest level since 1978. Pending cases declined the greatest amount in the District and Juvenile Delinquency calendars. Among the vicinages, twelve out of the fifteen achieved a decline in pending cases, especially Hudson, Essex, and Somerset/Hunterdon/Warren.

CASES PENDING BY CALENDAR
1982-1983

		1982 *	1983	% Change
	Supreme Court	141	243	72.3
	Appellate Division	6,460	6,457	-0.04
General	Juridiction Trial Court			
	Criminal (defendants)	32,713	31,390	-4.0
	Civil	62,011	61,637	-0.6
	General Equity	2,563	3,677	+43.5
	Matrimonial	17,835	17,194	-3.6
Limited	Jurisdiction Trial Court			
	Juvenile Delinquency	10,242	9,130	-10.9
	JINS	641	685	+6.9
	Domestic Relations	6,036	5,592	-7.4
	County District	44,607	37,365	-16.2
	Tax Court	7,308	6,955	-4.8
Minor	Trial Court Calendar			
	Municipal Appeals	819	974	+18.9
	Post-Conviction Relief	51	79	+54.9
	Probate	253	229	-9.5
	TOTAL w/o Dom. Violence	191,680	181,607	-5.3
	Domestic Violence	N/A	386	N/A
	TOTAL with Dom. Violence	191,680	181,993	-5.1

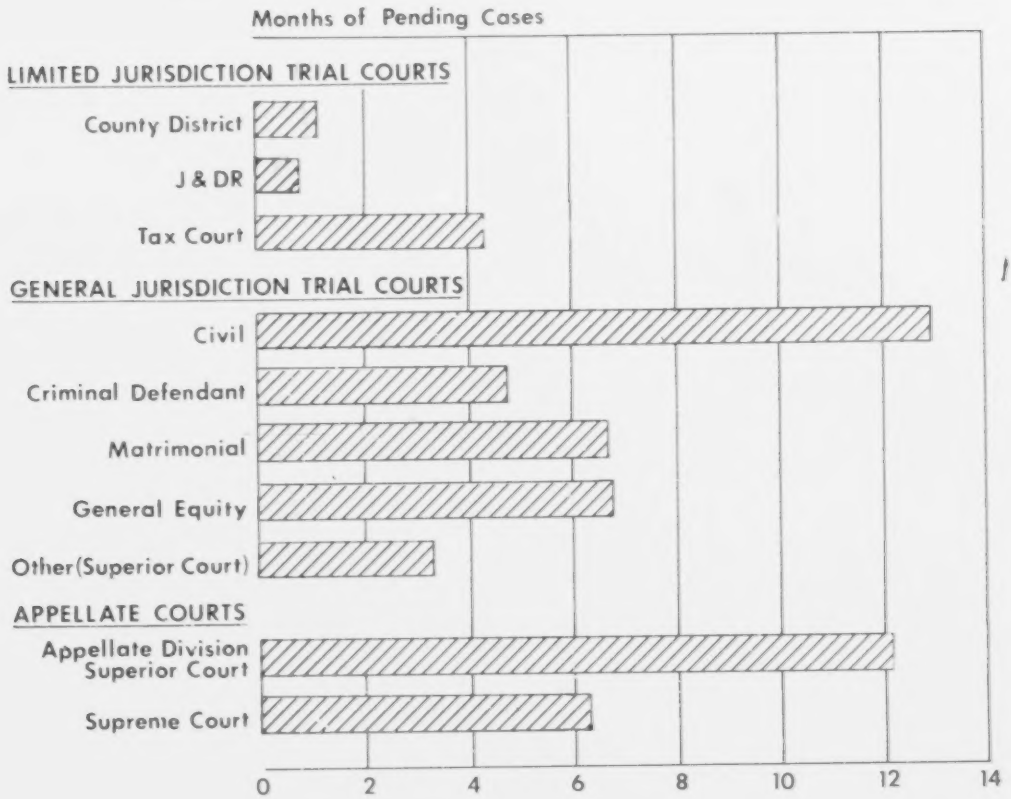
* 1982 figures are adjusted because of recounts during the year.

CASES PENDING BY VICINAGE
1982-1983

	1982	1983	% Change
Vic #1	8,113	7,586	-6.5
Atlantic	5,877	5,395	-8.2
Cape May	2,236	2,191	-2.0
Vic #2			
Bergen	19,219	17,875	-7.0
Vic #3			
Burlington	6,204	5,729	-7.7
Vic #4			
Camden	11,257	10,611	-5.7
Vic #5			
Essex	23,636	21,123	-10.6
Vic #6			
Hudson	14,693	12,837	-12.6
Vic #7			
Mercer	8,777	8,591	-2.1
Vic #8			
Middlesex	17,418	17,622	1.2
Vic #9			
Monmouth	14,454	13,759	-4.8
Vic #10	8,290	8,574	3.4
Morris	6,245	6,324	1.3
Sussex	2,045	2,250	10.0
Vic #11			
Passaic	11,189	10,425	-6.8
Vic #12			
Union	12,363	11,575	-6.4
Vic #13	5,917	5,230	-11.6
Hunterdon	2,719	2,223	-18.2
Somerset	1,782	1,537	-13.7
Warren	1,416	1,470	3.8
Vic #14			
Ocean	6,409	6,299	-1.7
Vic #15	9,832	10,116	2.9
Cumberland	5,374	5,483	2.0
Gloucester	3,053	3,325	8.9
Salem	1,405	1,308	-6.9
State Total	177,771	167,952	-5.5
Dom. Violence	N/A	386	-
Total with Dom. Violence	177,771	168,338	-5.3

The number of pending cases can be evaluated in a different way. By establishing a ratio of pending cases to the average number of dispositions per month, an index can be calculated representing the number of months the court would take to dispose of all its pending caseload. The chart shows that the largest inventory of cases are in the Civil and Appellate Division calendars. The limited jurisdiction trial courts—especially Juvenile and Domestic Relations and District--have very low indexes of months to dispositions.

ACTIVE CASES PENDING MONTHS TO DISPOSITION



ALLOCATION OF JUDGES

During 1983, for the first time since the establishment of the Tax Court in 1979 additional judgeships were created. There are now a total of 342 authorized judgeships. At the beginning of the court year, there were 313 judges in office; due to retirements and other vacancies, there were only 307 judges in office at the end of the court year.

DISTRIBUTION OF JUDGESHIPS
END OF 1982 and 1983

	Judges in Office		Vacancies		Total Authorized	
	1982	1983	1982	1983	1982	1983
Supreme Court	7	7	0	0	7	7
Appellate Division	21	21	0	0	21	21
Superior Court	211	204	4	11	215	215
J&DR	32	33	3	15	35	48
District	34	34	5	5	39	39
Tax	8	8	4	4	12	12
TOTAL	313	307	16	35	329	342

At the vicinage level, we can calculate the amount of judge-time devoted to the major trial-level calendars. The distribution of the judicial resources available to hear trial court matters increased slightly during the last court year. The time devoted to the Civil calendar increased considerably, and there was a small increase in the amount of judge time devoted to the Criminal calendars. The other calendars declined. The chart shows that Civil and Criminal together decreased by far the largest amount of the available resources.

JUDICIAL DISTRIBUTION BY TRIAL COURT CALENDAR
1982-1983

	1982	1983	% Change	% of Total
Civil	80.4	91.9	14.3	33.1
Criminal	80.6	83.3	3.3	30.0
Matrimonial	32.6	32.0	-1.8	11.5
General Equity	13.4	12.5	-6.7	4.5
Juvenile & Domestic Relations	34.1	33.8	-0.9	12.2
District	25.9	24.0	-7.3	8.7
TOTAL	267.0	277.5	3.9	100.0

Within these calendars, the kinds of work performed by the judges varies considerably. The chart shows the number of motions and trials in the major trial court calendar on a per judge basis.

MOTIONS AND TRIALS PER JUDGE 1983

	Contested Motions	Uncontested Motions	Total Motions	Jury Trials	Non-Jury Trials	Part Trial	Total
Civil	338	503	841	20	11	17	48
Criminal	312	211	523	28	4	3	35
Matrimonial	548	221	769	349	531	-	880
General Equity	413	227	640	0	69	17	86
District	301	489	790	9	2,117	319	2,445

In summary, New Jersey can be proud of the court system's ability to clear the calendar in four consecutive years, increasing the productivity of the judges each year. The caseloads and workloads have increased greatly during those years, but with hard work and active management of the available resources the courts have been able to stay on top of their work and slowly reduce the backlog of cases pending.

1983 FOCUS

FAMILY COURT

Chief Justice Robert N. Wilentz and Governor Thomas H. Kean joined more than 400 judges, elected officials, law enforcement officials, social service representatives and concerned citizens at the June, 1983 New Jersey Judicial Conference on the topic of "The Family Court."

A 46-member State Family Court Committee, headed by Associate Justice Daniel O'Hern, and 21 County Family Court Committees had been working since October, 1982 on issues involved in the new juvenile justice/family court legislation and the possible creation of a Family Division of Superior Court to handle family-related cases. Creation of a Family Court will appear as a proposed constitutional amendment on the November ballot.

The new legislation provides for stricter treatment of the small percentage of delinquents who are serious repeat juvenile offenders, while increasing diversionary services and dispositions for the majority of offenders who are less serious or first time delinquents.

It also abolishes the Juveniles in Need of Supervision (JINS) offense category and replaces it with the classification "Juveniles and Families in Crisis." This change in classification reflects a shifting of focus and responsibility from the juvenile whose conduct is symptomatic of family dysfunction to the whole family as a unit. Under the new law, those families are to receive crisis intervention services prior to any court involvement, from units to be established in each county, and will not appear before a judge unless the crisis cannot be resolved. Parents, guardians, or other relevant family members, as well as the juvenile, can be ordered to appear and to participate in counselling and other rehabilitative programs.

The proposed creation of a Family Part of Superior Court is designed to bring family-related cases (e.g., divorce, custody, support, adoption) under one court so that problems can be handled more efficiently and with more relevant information than is currently available. Under the existing jurisdiction, family-related cases are heard in different courts, with no systematic way of obtaining relevant information about the family situation as a whole.

The following are the Committee's major recommendations to the Supreme Court:

- the Family Division should have jurisdiction over all family-related matters currently heard in Chancery Division, Matrimonial, Superior Court and in Juvenile and Domestic Relations Court. After the new Division is in operation for one fiscal year, there should be consideration of whether inter-familial disorderly persons and petty disorderly persons should also be heard in the Family Division.

- county juvenile/family crisis intervention units, authorized by legislation, should, to the extent that resources permit, handle other family problems involving delinquency, custody and guardianship.

- plea bargaining should be permitted in juvenile cases under guidelines approved by the Supreme Court.

- volunteers should play an important role in the work of Family Court including Juvenile Conference Committees, Youth Services Commissions, Volunteers in Probation and others.

- parties in custody or visitation disputes should be required to participate in at least one mediation session.

TRIAL COURT MANAGEMENT

In the 1983 court year, major developments affecting the trial court system took place. They have a common focus in the organization and management of the trial courts and a common genesis in the 1982 recommendations of the Supreme Court Committee on Efficiency; but the programs themselves are diverse. Each has its own emphasis, but together they chart a course for increasing the ability of the trial courts to effectively manage the cases that come before them.

The Committee on Efficiency recommended a large number of activities to improve trial court operations. That group of New Jersey business and government leaders found that the trial courts had been working without effective management controls, with diverse and sometimes overlapping functions and units. The Committee recommended, among other things, strengthening the management component of the trial courts and sorting out the functions and operational units with a goal of greater efficiency and productivity.

During the court year, work in response to those recommendations took place in three major categories: improving relations with county government, reorganizing the management structure of the courts, and building the management tools of trial court leaders.

IMPROVING RELATIONS WITH COUNTY GOVERNMENT

In August 1982, with the cooperation of the New Jersey Association of Counties, the Chief Justice appointed a County/Judiciary Liaison Committee. Chaired by the Chief Justice, the committee includes three Associate Justices, three Assignment Judges, the Administrative Director, and twelve county government leaders. The committee has met approximately every other month for discussion of broad policy issues of mutual interest to the courts and the county government. The committee acts as a sounding board on county reactions for major court proposals such as computerization or jury system reform as well as a vehicle for communication to the leaders of county government. County members of the committee have urged greater state funding of court system expenses and more regular communication on plans of interest to them.

Individual liaison committees with several constitutional officers have also been established. The first to begin meeting, the County Clerks' Liaison Committee, was appointed in early 1983. It is chaired by Associate Justice Stewart G. Pollock and includes judges, county clerks, and trial court administrators as members. The role of the county clerk as Deputy Clerk of the Superior Court was clearly established. The clerk, as Deputy Clerk of the Superior Court, in their court support functions are under the direction of the Assignment Judge, and the court is responsible for all aspects of case processing upon filing of the complaint, and the court may delegate to the county clerk and the clerk's personnel various functions necessary to facilitate case processing.

Late in 1983, two other liaison committees were appointed. A Judiciary/Sheriff Liaison Committee, chaired by Assignment Judge I. V. DiMartino, includes assignment judges, sheriffs, a trial court administrator, a county administrator, and a state police representative. Its major initial task is to develop a model court security plan which the counties will adopt and implement. The committee will also review other areas of interest to the courts and the sheriffs. Finally, a Judiciary/Surrogate

Liaison Committee was appointed under the chairmanship of Assignment Judge Edward Beglin. Including judges and surrogates, this committee will focus on matters of mutual concern with regard to the operations of the county surrogates' offices.

REORGANIZING THE MANAGEMENT STRUCTURE OF THE COURTS

One of the major programs during the year was the work of the Management Structure Committee. Responding to the Committee on Efficiency finding that the trial courts had unclear lines of authority, the Management Structure Committee developed a proposal to establish a more comprehensive trial court structure. The committee was chaired by Assignment Judge Samuel D. Lenox, Jr., and it included judges, trial court administrators, and senior AOC staff.

The committee's report focuses on organizing the trial court structure according to its major types of work: Criminal, Family, Civil and Chancery. Under the strong leadership of the Assignment Judge, a presiding judge of each of the four divisions is to be appointed by the Chief Justice for the vicinage. The presiding judge will oversee the judges assigned to each division and supervise the support units working in each area.

Among the non-judge leaders of the vicinage, the trial court administrator assists the Assignment Judge in the overall management of the vicinage. The administrator, along with the presiding judges, supervises the case managers in the new system. These case managers, one each for Criminal, Family and Civil/Chancery, coordinate the support system units that are devoted to each division. The case managers exercise day-to-day supervision overall pretrial case-related activities-- intake, clerical work, and investigations.

Growing out of the Management Structure report has been a series of seminars to build the trial court support structure according to a team system. Based on a general model support structure outlined at the seminar, vicinage leaders will plan the organization of the support units in their vicinages. The seminars focus in turn on the three major units of the trial court support system: Criminal, Family, and Civil/Chancery.

BUILDING THE MANAGEMENT TOOLS

It is critical, if the courts are to function efficiently, that the leaders of the system have clear areas of responsibility and accountability. The Supreme Court, based on the recommendation of the Management Structure Committee, revised the formal responsibilities of the Assignment Judge and other vicinage leaders in a rewritten Rule 1:33. Other activities during 1983 helped to enunciate those responsibilities.

COMPUTERIZATION

During the 1983 court year, the final elements of the Computerization Master Plan were drafted, the plan was formally accepted, and the implementation of the plan went into full operation. The building blocks of the statewide effort at using automation in case processing and management are now in place.

The National Center for State Courts submitted the final draft of the Computerization Master Plan early in 1983. Working over several years, and with the assistance of the Advisory Committee on Computerization chaired by Justice Stewart G. Pollock, the Center completed a detailed Requirements Analysis and drafted a plan for building a comprehensive system over nine years. At the request of the Administrative Office of the Courts, the Center included an analysis of the uses and cost benefits of using microcomputer technology in the case processing systems. With that addition, the Master Plan was complete.

The next step was to review the technological issues involved in implementing the plan. A Technical Assessment Committee, also under Justice Pollock's chairmanship, reviewed the Master Plan and the current state of technology. The committee included experienced data processing managers and systems designers from both public and private sectors. Working from the computer applications set forth in the Master Plan, the committee discussed the possibilities and limitations of the major system architectures. The need for working with other state government agencies was also examined. Coming out of those discussions was a consensus for a comprehensive system anchored by a mainframe in a judicial data center but including a number of smaller units for various applications. As envisioned, the system would handle case processing and case management transactions as well as financial bookkeeping entries for all courts from municipal—with its several million cases--to the Appellate Division and Supreme Court. Terminals in the municipal courts and trial courts would be able to communicate with each other and with the data center, and they would be able to communicate with other relevant government agencies such as the Division of Motor Vehicles and Department of Human Services.

The key elements of the Master Plan are designed to build on systems already in use around the state, to tie them in wherever possible to a Judicial Data Center which would be in place during 1985, to begin development of the municipal court and Family Division systems with pilot programs, and to simplify the equipment support needs of the Administrative Office of the Courts to all compatable hardware and software.

The municipal court pilot program has great potential for saving money and increasing efficiency. Currently an estimated $25 million in fines goes uncollected, and computerization would increase collections by about $7.5 million per year. A pilot program in the New Brunswick Municipal Court is now under development

In the trial courts, other economies are possible. Currently entries in dockets, court calendars, notices and fee books must be entered and re-entered, using the same case information again and again. With effective automation, entries can be made once and then automatically applied to the several uses that are required. Computerization in Civil, Criminal and Family cases will simplify the procedures for child support payments, case manment, calendaring and noticing, and bookkeeping. Pilot projects in each of these areas are underway.

1983 SUPREME COURT COMMITTEES

COMMITTEE ON COUNTY DISTRICT COURTS

Chaired by District Court Judge Donald W. deCordova, the Committee on County District Courts is charged with analyzing court management systems and procedures in the various counties to increase efficiency and uniformity statewide and also promote easy access for pro se litigants. During the year, the Committee reviewed court rules, statutes and case processing techniques utilized by several county district courts. It evaluated inquiries and suggestions received from the bench, bar and public and offered its assistance to those counties involved in implementing an experimental program of evening sessions for small claims.

The Committee determined that R. 6:4-3 has impeded efficient case processing by allowing discovery in cases filed in the district court in which the amount in controversy is $1,000 or less, but are not cognizable in the small claims division. Its recommendation that R. 6:4-3(e) be amended was implemented. The amendment precludes discovery in actions where the amount in controversy does not exceed the monetary jurisdictional limit of the division of small claims except in cases where judicial discretion dictates otherwise.

At the bar's urging the Committee analyzed the desirability of establishing uniform criteria for scheduling and adjourning Marini defense hearings. The Committee recommended that each judge should have the discretion to either schedule or adjourn Marini hearings and no uniform policy should be established.

A Subcommittee on Computerization was formed to assist in the effort to automate the district courts in Bergen and Essex counties. Uniform forms proposed by the Subcommittee on Forms were revised and endorsed by the Committee as models. These forms are compatible with computerized systems and are readily understandable to pro se litigants.

It is anticipated that the Committee's recommendations concerning acceptance of personal checks for money deposited into courts and service of process in cases where defendant's address is a post office box will be implemented in the coming court year.

TASK FORCE ON MENTAL COMMITMENTS

The Task Force on Mental Commitments, chaired by Superior Court Judge Virginia Long, was charged with examining all phases of the process by which patients who are involuntarily committed to mental hospitals are reviewed by the court. The Task Force focused on three specific areas: administration of the program, patients awaiting placement and continuing education of judges and court personnel.

In the spring, the Task Force submitted a report to the Supreme Court on the issue of patients awaiting placement. It recommended a workable procedure for continued monitoring by the trial court of patients who do not require treatment in mental hospitals if suitable alternative placements can be found. In July, the New Jersey Supreme Court rendered an opinion, IMO Applications for the Commitment of S.L., et al, which detailed procedures to be followed for individuals whom the court determines are no longer dangerous to themselves, others or property by reason of mental illness, but are incapable of survival on their own. A summary of the opinion was prepared and circulated with the full text to judges, court personnel and mental commitment liaison personnel. The Task Force anticipates completion of its work in the spring of 1984.

COMMITTEE ON THE MODEL RULES OF PROFESSIONAL CONDUCT

This 20-member committee, chaired by U.S. District Judge Dickinson R. Debevoise, studied in detail the new American Bar Association (ABA) Model Rules of Professional Conduct for possible adoption by the New Jersey Supreme Court as the code of ethics for all New Jersey attorneys in place of the existing code. The committee included among its members judges, lawyers, law professors and non-lawyer citizen members. In 1983 the committee presented its report containing specific recommendations with regard to each of the Model Rules to the Supreme Court, which then held the report open to public comment. The report is pending before the Supreme Court.

TASK FORCE ON WOMEN IN THE COURTS

The Task Force on Women in the Courts, appointed by Chief Justice Robert N. Wilentz in 1982, represents the first effort by a state court system to examine itself to identify gender bias, and develop education programs on the subject.

The 31-member Task Force, chaired by Superior Court Judge Marilyn Loftus, includes trial and appellate judges, lawyers, law school professors, other educators and private citizens. The Task Force is scheduled to make a presentation on its work to the 1983 Judicial College opening session.

The Task Force defines gender bias as a predisposition or tendency to think about and behave toward people on the basis of their sex, reflecting stereotypical beliefs about the "true nature" or "proper roles" for the sexes, rather than an independent evaluation of each individual's abilities, life experiences and aspirations.

To gather information, questionnaires were distributed to lawyers in the New Jersey Law Journal, and Task Force members met with bar groups to review research on the subject. The Task Force will focus on selected substantive law areas and on interaction in the courtroom and at professional gatherings.

Two national experts in Judicial Education on gender bias were involved in the work of the Task Force-Professor Norma Wikler, former director of the National Judicial Education Program to Promote Equality of Women and Men in the Courts and Professor of Sociology at the University of California at Santa Cruz; and Lynn Hecht Schafran, a lawyer and current director of the National Judicial Education Program.

COMMITTEE ON SURROGATES' INTERMINGLED TRUST FUNDS

Comprised of judges and investment experts, the Advisory Committee on Surrogates' Intermingled Trust Funds was charged with examining the design and administration of the program whereby the proceeds of a judgment for a minor or incompetent are deposited with the surrogate for investment in an intermingled fund.

This effort was determined to be necessary to lessen disparities in rates of return and minimize the likelihood of liability on the part of Assignment Judges and surrogates for investment decisions. Chaired by Superior Court Assignment Judge Martin L. Haines, the Advisory Committee explored alternative investment arrangements with outside experts and analyzed data collected from each county surrogate's office concerning the number of accounts administered (approximately 12,000) and the amount of money in the commingled accounts (approximately $157 million).

Based upon this knowledge, the Committee has distributed for comment preliminary recommendations for safely maximizing the return on these funds, while simultaneously making the investments more uniform, fair and efficient. The Committee anticipates that its final recommendations will be submitted in the spring of 1984.

CIVIL PRACTICE COMMITTEE

During the court year, the Civil Practice Committee, chaired by Alfred Clapp, Esq. of Newark, made numerous rule amendment recommendations, many of which were ultimately adopted by the Supreme Court. The more significant of these are briefly summarized as follows:

- Appearances by out-of state attorneys — the committee recommended that R. 1:21-2 be amended to include conditions which must be met prior to an out-of-state attorney receiving court permission to appear in a New Jersey case. These include a certification of good cause, an indication of a prior attorney-client relationship, and a showing that the attorney has expertise in the field.

- Appearances by non-lawyers in administrative matters -- the committee recommended amendments to R. 1:21-1 which would permit non-lawyers to appear before the Office of Administrative Law, under certain circumstances. These include matters for which the Attorney General is unable to provide representation or those handled by a paralegal employed by a legal services program.

- Probate Rules — the committee recommended revisions in all the probate rules to reflect the recent enactment of a new statutory Probate Code.

- Lis Pendens — the committee recommended a rule which implements legislation requiring a hearing in certain circumstances, following the filing of a lis pendens notice placing a lien on real property.

- Enforcement of Administrative Orders — the committee recommended rule amendments which would establish uniform procedures for the enforcement of administrative agency orders.

TASK FORCE ON INTERPRETER AND TRANSLATION SERVICES

During the court year, the Task Force, chaired by superior court judge Herbert S. Alterman continued to study present practices involving interpreting, translating and cross-cultural services in the Judiciary. This effort to describe comprehensively current policies and practices will serve as a solid foundation upon which (a) to develop recommendations for the Supreme Court and (b) to evaluate these services in the future, especially with a view to documenting the effectiveness of changes implemented on the basis of the Task Force's recommendations.

Eight background reports were completed and data was collected for an additional fourteen background reports. Among the reports that have been completed are: evaluation of Civil Service bilingual/ interpreter testing, summary of New Jersey case law and statutes on

interpreting, descriptions of current practices provided by Trial Court Administrators, overview of current judicial (state and local) policy, and delineation of issues identified by offices of the Public Defender and Legal Services.

Reports are being drafted on the basis of social scientific surveys of judges, deaf litigants, bilingual court support professional staff (especially Probation personnel), and interpreters. More modest surveys were made of Prosecutors and bilingual Attorneys. In addition, the following research reports are nearing completion: demographic overview of New Jersey's non-English-speaking population, evaluation of linguistic issues (e.g., literacy, language level, "plain English"), assessment of cross-cultural factors bearing on the delivery of social, legal and psychological services; and analysis of interpreting/translating as a profession.

JUDICIAL PERFORMANCE COMMITTEE

New Jersey's court system, through the Supreme Court Committee on Judicial Performance, chaired by Associate Justice Alan Handler, is engaged in an active effort to develop standards of performance and evaluation in order to help sitting trial judges assess and improve their own performance on the bench.

The objectives of the evaluation program are the improvement of the quality and level of performance of judges, the identification of judicial educational needs, the more effective assignment and use of judges within the judicial system, and the improved assessment of the qualifications of judges nominated for reappointment.

In 1983, a judicial performance questionnaire developed by the Committee was tested in Camden, Middlesex and Monmouth counties. The 4-page questionnaire, completed by lawyers involved in proceedings before judges to be evaluated, focuses on judicial performance and behavior in the courtroom, and is divided into five categories: comportment of the judge, judicial management skills, legal ability of the judge, general information and background characteristics of the lawyer. Appellate court judges and Supreme Court justices are reviewing trial records and completing a separate set of questionnaires as part of the program. The questionnaire will be analyzed for possible recommendation of its use statewide, as the program is expanded to include the comments for jurors, court reporters and other such courtroom observers.

MUNICIPAL COURT COMMITTEE

The Municipal Court Committee, chaired by Superior Court Judge Sidney Reiss, is responsible for reviewing rules and procedures in the municipal courts. During the court year, the Committee made the following recommendations, which were approved by the Supreme Court:

- amendment of Rule 7:7-3 permitting moving violations not resulting in personal injury to be paid through the Violations Bureau, and eliminating the requirement that a resident exceeding the speed limit by over 20 mph appear in court.

- promulgation of a uniform commitment order to be completed by municipal court judges sentencing a defendant to a county penal institution.

- inclusion in the Statement in Defense or Mitigation of Penalty, Rule 7:6-6, of an explanation of why it would be a hardship for a defendant to appear in person for trial.

COMMITTEE ON RELATIONS WITH THE MEDIA

The 26-member Committee on Relations with the Media, chaired by Appellate Judge William G. Bischoff, includes judges, lawyers and media (print and broadcast) representatives. During the year, the Committee recommended, and the Supreme Court approved, changes in the guidelines for cameras in the courts and an experiment allowing cameras in municipal courts in three vicinages. The Committee has monitored that experiment and recommended that it be expanded statewide.

The Committee has also maintained an active dialogue with the New Jersey Press Association on issues of common interest, and plans, in conjunction with the Journalism Resources Institute at Rutgers, joint seminars for bench, bar and press. The Committee hosted a dinner meeting with the Association to develop a list of topics for the seminars.

In an effort to encourage and increase camera coverage of court proceedings as a means of public education, the Committee is exploring methods to provide current information on trials to broadcast media and the possible production of educational videotapes of court proceedings for use on commercial, public and cable stations.

YOUTH SERVICES/COMMUNITY INVOLVEMENT COMMISSION

The State Youth Services/Community Involvement Commission, co-chaired by Chief Justice Robert N. Wilentz and Attorney General Irwin I. Kimmelman, completed its second year of operation in 1983. The Commission was designed to mobilize citizens, youth workers, educators, law enforcement officials and other community groups to fight juvenile delinquency problems at the local, county and state levels, and improve coordination of services to troubled youths. In addition to the State Commission, pilot projects were established in Burlington, Middlesex and Somerset counties.

Working together, this cross-section of community interests has increased public awareness and involvement in the identification and resolution of juvenile justice problems. Second year accomplishments include:

- a drug abuse program in Burlington for middle and high school students, parents and community members.

- a diversion program in Burlington which resulted in standardized stationhouse adjustments and establishment of time goals for case processing by police and Juvenile Conference Committees (JCC), and intake and training for JCC members.

- after-school program in Middlesex, including fine arts training, recreational activities and tutoring.

- navigation and water safety classes for juveniles selected for the Middlesex boat project.

- Students Against Drunk Driving (SADD) program in Somerset which provides sessions on alcohol awareness.

- placement of more than 200 youths in summer jobs by the Youth Employment Service (YES) of the Somerset Hills Youth Services Commission.

- a six-week seminar on adolescent growth and development for parents and their children in Somerset.

- an evening Twilight Program in Somerset available to incarcerated youth and referrals from area youth agencies to develop job skills and provide counselling.

SPEEDY TRIAL COORDINATING COMMITTEE

The Committee sets policies and coordinates activities of the Speedy Trial Program which was initiated January 1, 1981 and continues to operate to reduce delays in criminal cases. At the time the program was begun, time to disposition of the average case was nearly twelve months. Data available for the latest quarter of the court year revealed an average time to disposition of less than six months for guilty plea cases and less than nine months for trials.

With the start of the court year in September, 1982, the Committee coordinated an intensive program (funded through a special legislative appropriation) to eliminate the substantial backlog of pending cases in those counties most significantly affected. There had been a determination, within the Statewide Committee, that delay-reducing management techniques could not attain their full effects under the pressure exerted by so large a backlog of cases. Special post-indictment programs and pre-indictment case screening efforts were conducted in Essex, Middlesex, and Camden counties. Middlesex County succeeded in reducing its backlog by 40%; Camden County in large measure obtained their goal of dealing with a large number of cases generated by operation of an Extra grand jury panel; Essex County developed a robust pre-indictment screening process and attained some post-indictment improvement despite the intrusion of capital cases.

The backlog-reduction funding also funded a program undertaken within the State Police Forensic Laboratory System. The goal of that program was to return drug-analysis cases to the prosecutor's office within 15 (working) days of receipt. That goal was exceeded, greatly aiding the improvement in the pre-indictment area and eradicating what had been the most serious threat to the success of the Speedy Trail Program. The average turnaround time was reduced during the program from 49 (working) days to 11 (working) days - a 78% reduction. A 75% reduction was achieved in the inventory of pending drug-analysis cases within the laboratory system - from more than 3100 cases to less than 800.

The Statewide Speedy Trial Coordinating Committee maintained a regular schedule of meetings in order to deal with the issues confronting it as well as to continue monitoring the progress of The Speedy Trial Program. The Committee expanded its membership to include

representatives of the local police, municipal courts and the academic community. It announced a new initiative to reduce the time period from disposition to sentencing, carefully monitored the initial impact of Capital Cases, and, early in the term, promulgated a series of strongly endorsed case management strategies designed to ensure satisfaction of early case management needs such as receipt of complaint from the municipal courts, entry of defense representatives, announcement of diversionary activity, and closer communication with prosecutorial screening decision.

CHILD PLACEMENT ADVISORY COUNCIL

The State Child Placement Advisory Council advises the Supreme Court, Legislature and Governor on matters relating to the out-of-home placement of children in New Jersey. It is made up of representatives of the 40 county Child Placement Review Boards whose existence and functions are prescribed in the Child Placement Review Act which was enacted in 1977 to review the cases of children placed outside their homes by the State Division of Youth and Family Services (DYFS).

During the year the Council, chaired by Corinne Driver, continued to work toward improving the implementation of the Child Placement Review Act. It issued a report indentifying barriers which inhibit realization of the full potential of the Child Placement Review Act to move children quickly into appropriate permanent homes.

The Council also began work with other agencies to develop joint child placement review training for judges, board members and DYFS personnel. Furthermore, the Council in coordination with DYFS is developing Case Management Forms to be used by both DYFS and Child Placement Review Boards to achieve a greater statewide uniformity in child placement review implementation. Finally, the Council sponsored a workshop at the NJEA convention to establish links between the child placement review system and the education system.

COMPLEMENTARY DISPUTE RESOLUTION COMMITTEE

The 20-member Supreme Court Complementary Dispute Resolution Committee was appointed by Chief Justice Robert N. Wilentz in the spring of 1983 to develop a comprehensive plan for further development of programs in the New Jersey court system.

Chaired by Associate Justice Marie L. Garibaldi, the Committee includes judges, lawyers, law professors, public advocate, business and citizen members.

Over the past decade, the New Jersey and nationally, a variety of small-scale, formal and informal dispute resolutions have been developed in response to tremendous increases in court caseloads. Through the appointment of the Committee, New Jersey is the first state to undertake a statewide, systemwide approach to long-range planning of these programs.

The Committee is reviewing existing programs in New Jersey and elsewhere. The Committee's plan will include evaluation of these programs and their potential for use in the trial courts, an evaluation format for each type of program recommended and the possibility of funding, where necessary, for the elements of the plan.

COMMITTEE ON OPINIONS

Under Rule 1:36-2, the Chief Justice appoints this committee, which currently includes retired Justice Haydn Proctor, Chairman, retired Justice Mark A. Sullivan, and retired Appellate Division Judge Leon S. Milmed.

The Committee reviews all formal written opinions, except those of the Supreme Court (and those Appellate Division opinions decided by two judges, rather than a three-judge part), and determines which should be published. During the year, the Court restructured the operation of the Committee to allow two members to approve publication of a decision. A third member would only be called on to participate as a tiebreaker, or as a substitute in the absence or disqualification of one of the other two. The Supreme Court sets appropriate standards to guide the Committee in determining which opinions should be approved for publication. The following is the Committee report for the court year.

REPORT OF THE COMMITTEE ON OPINIONS 1982-1983

Period Ending August 31, 1983	Court Year 1982-83	Court Year 1981-82	Court Year 1980-81
Opinions Reviewed by the Committee:			
Appellate Div. (3-judge)	990	991	987
Trial Courts	351	378	382
TOTAL	1,341	1,370	1,369
Opinions Approved for Publication:			
Appellate Div. (3-judge)	214 (21.6%)	237 (23.9%)	268 (27.2%)
Trial Courts	123 (35.0%)	152 (40.2%)	109 (28.5%)
TOTAL	337 (25.1%)	389 (28.4%)	377 (27.5%)
Appellate Division *Two-Judge Opinions:	Reviewed	Recommended	Approved
	2,453	36	27
Total Opinions Published:			
Supreme Court	93	120	101
Appellate Div. (3-judge)	214	237	268
(2-judge)	27		
Trial Courts	123	152	109
TOTAL	457	509	478

*The Committee on Opinions can publish two-judge opinions only in cases where the opinion below is published, or if specifically recommended for publication by the Part with approval of the Presiding Judge for Administration.

1983 APPELLATE COURTS

SUPREME COURT

The Supreme Court is New Jersey's court of last resort. Its seven members are appointed for seven-year terms and, upon reappointment, serve until age 70.

Cases arrive at the Supreme Court by way of direct appeals, petitions for certification, interlocutory applications and, in a very few instances, petitions for the exercise of original jurisdiction.

The Supreme Court's authority extends to the rules of practice and the admission and discipline of attorneys and judges. In that regard, it makes the final decisions in disciplinary matters.

JURISDICTION

1) Appeals as of Right

Appeals to the Supreme Court are permitted, as of right, in limited circumstances. There must be a substantial constitutional question not previously passed upon by an appellate court, a dissent in the Appellate Division, or an imposition of the death penalty to invoke the Court's appeal jurisdiction.

The Rules of Court limit appeals based on dissents to the issues raised in the dissenting opinion. This often results in matters having appeals, as of right, only as to part of a case.

The 1983 term saw the filing of the first notice of appeal as of right under New Jersey's death penalty statute. Under the rules of court, a defendant who has been sentenced to death has a direct appeal to the Supreme Court, bypassing normal Appellate Division review.

The overwhelming majority of cases in which an appeal as of right is filed claim the presence of substantial constitutional questions. Of the 332 appeals dismissed by the Court in 1983, most were handled in a summary manner because the Court found no substantial questions within the meaning of the rules and relevant case law.

The substantial increase of 270% (165 to 445) in the filing of notices of appeals as of right can be explained by a United States District Court decision that the federal courts would hear habeas corpus applications only on those questions that had been appealed to the Supreme Court of New Jersey. Petitioning for certification would be insufficient under this opinion.

On January 6, 1984 the Third Circuit Court of Appeals filed an opinion disapproving the District Court's decision. That should cause a significant reduction in notices of appeal by the Public Defender.

2) Petitions for Certification

Most of the parties seeking Supreme Court review of final judgments of the Appellate Division do so by petitioning for certification. Certification will be granted only if: 1) the case involves a matter of general public importance that has not been, but should be, settled by Court; 2) the question is similar to one already on appeal; 3) the decision below conflicts with another appellate decision or calls for the general supervisory powers of the Court; or 4) the interest of justice requires it.

The requirements for the grant of certification are applied strictly by the Supreme Court. Certification was granted in 9.6% of the cases presented to the Court. This represents a slight decline from the 11% granted in 1982.

3) Motions and Other Applications

The Supreme Court disposed of 1,176 motions during the 1983 term. These applications covered a wide range of subjects. The most frequently filed motions involved requests for leave to appeal, for stays, for extensions of time and for direct certification. In addition to litigated matters, the interlocutory application category includes petitions filed in bar admission matters. Over 256 such applications were disposed of in the 1983 term. This is a dramatic drop from the more than 600 such applications filed in 1982. The reduction reflects the Court's phased-out elimination of a procedure for admission to the bar based solely on a multistate bar examination score earned in another jurisdiction.

4) Attorney Discipline

The Supreme Court reviews decisions and recommendations of the Disciplinary Review Board. That Board, in turn, reviews the actions taken by the various district ethics committees.

In 1983, the Supreme Court disposed of 100 disciplinary matters, up 10% from 1982. Of these dispositions, 57 resulted in the imposition of sanctions, 6 were restorations to the practice of law, and the balance included miscellaneous applications.

FILINGS AND DISPOSITIONS

Case filings (appeals, certifications, motions and disciplinaries) increased by 19 in 1983 for a combined total of 2,986. At the same time, overall dispositions for the term amounted to 2,773, a decrease of 257 from the previous year. The table below demonstrates that the Supreme Court has been subject to the same pressures of increasing workload as the rest of the court system.

FILINGS & DISPOSITIONS

1979-1983

	1979	1980	1981	1982	1983
Appeals					
filed	214	232	216	298	568
disposed of	243	223	216	288	466
Certifications					
filed	931	979	986	995	1,083
disposed of	975	1,075	915	972	1,031
Motions					
filed	1,348	1,353	1,409	1,590	1,223
disposed of	1,343	1,384	1,366	1,679	1,176
Disciplinaries					
filed	84	57	71	84	112
disposed of	94	54	68	91	100
Total					
filed	2,577	2,621	2,682	2,967	2,986
disposed of	2,655	2,736	2,565	3,030	2,773

All categories, except motions, in the Court's caseload increased in 1983. Certifications and motions continue to lead all categories in filings and dispositions.

The steady addition of more certification filings since 1979 can generally be ascribed to the number of Appellate Division dispositions from which they come. The percentage of petitions for certifications, as a percentage of Appellate Division dispositions, has remained relatively steady for the past five years except for a 2% decrease in 1979 brought about by the institution of an administrative dismissal procedure in the Appellate Division under which hundreds of inactive cases were dismissed with few calls for review by the Supreme Court.

	Appellate Division Dispositions	Petitions for Certification	%
1979	5,634	931	16.5
1980	5,431	979	18.0
1981	5,001	986	19.7
1982	5,423	995	18.3
1983	6,396	1,083	16.9

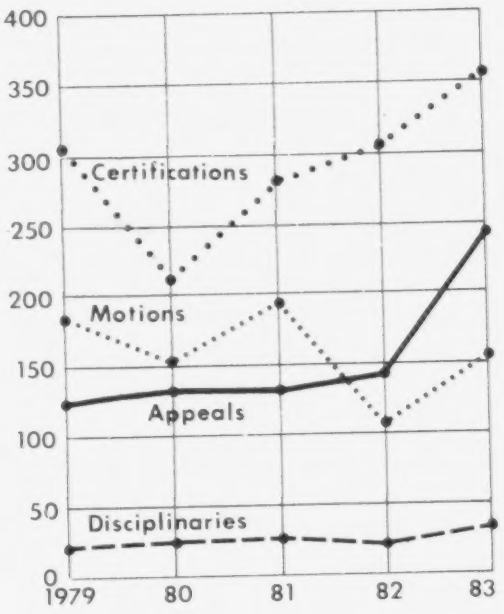
PENDING CASES

Pending cases before the Supreme Court rose in all categories. There was an increase of 52 petitions for certification, leaving a total of 357 pending. Pending appeals at the end of the 1983 Court term numbered 243, up 102, an increase of 72% from 1982. Disciplinaries increased by 12 to 33. Motions pending increased by 47 to 153.

The increases in pending appeals, certifications and disciplinaries were the result of significant elevations in filings. These overcame improvements in dispositions that amounted to 10% in disciplinaries, 6% in petitions for certification, and 62% in notices of appeal.

The graph below shows that the number of pending disciplinaries has remained rather steady. Similarly, appeals had, until 1983, remained relatively constant. The elimination of the federal court requirement of notices of appeal as well as certification should bring that category back to prior levels.

PENDING CASES



OPINIONS FILED

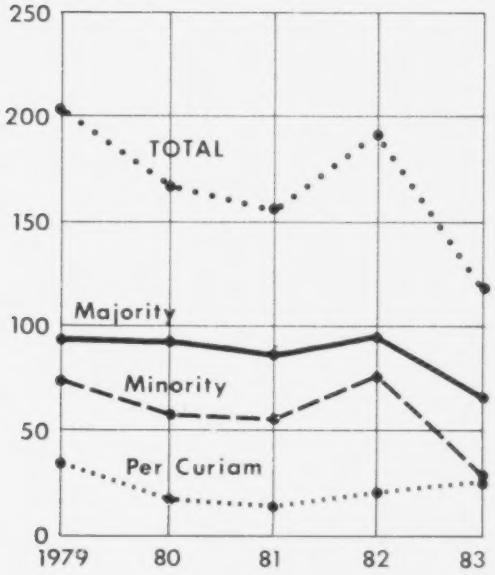
While considerable time and effort is expended on discretionary review matters, the opinions of the Court remain its most visible work. The Court, under the direction of the Chief Justice, discusses each case at the conference following oral arguments. Opinion assignment is made by the Chief Justice if the Court is unanimous or if the Chief Justice is in the majority. In cases where the Chief Justice does not participate or is one of the members in the minority, the opinion is assigned by the senior Justice voting with the majority.

Although upward of 20 opinions may be in circulation at any given time, each Justice must be fully conversant with every opinion before the Court, whether a first or a final draft. Circulating opinions hold the highest priority at Court conferences and every effort is made to insure that the decisions of the Court are truly collegial in nature.

In 1983, the Supreme Court filed 119 opinions (majority, minority and per curiam), deciding 104 appeals and 10 disciplinaries. The number of signed majority opinions decreased in 1983 by 29 to 66. Minority opinions also decreased in 1983 by 62%, from 76 to 29. The balance of the opinions filed were per curiam.

A comparison of five years' opinion filings (see chart) shows that the 1983 term had a significant drop in minority opinions and signed majority opinions while unsigned (per curiam) dispositions increased.

OPINIONS FILED



TIME TO DECISION

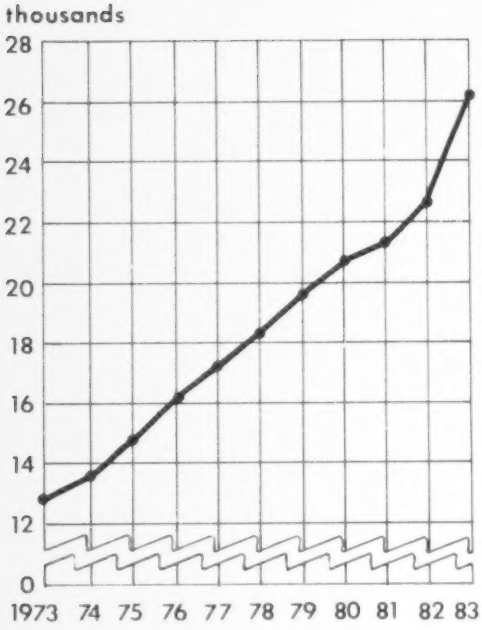
More difficult to answer than the question of what the Court decides is "how long" it takes to make that decision. Any given case can be disposed of promptly if there is a consensus on the part of the members of the Court involved. However, the decision process in a multi-member court does not, if truly collegial determinations are sought, lend itself to the immediate generation of full opinions in many cases. The complexity of the case and divergent views about the legal issues can combine to seriously affect the timing of a disposition. Nonetheless, the time it takes from the date of argument to the date of decision in the Supreme Court has remained fairly constant over the last five years. The median time in 1983 was four months.

PROFESSIONAL RESPONSIBILITY

The Supreme Court has constitutional responsibility for the integrity of the legal profession and the Judiciary. It exercises this responsibility through a number of offices, including the Division of Ethics and Professional Services (DEPS) in the Administrative Office of the Courts. The increased work of this Division is a reflection not only of the growing number of attorneys in New Jersey but also of rising public demands for high ethical standards and accountability.

The decade of the seventies produced a very large increase in the attorney population in New Jersey. In 1969 there were 10,348 members of the bar admitted to practice. That figure more than doubled by the end of the calendar year 1983 when the total attorney population reached 26,199.

NUMBER OF ATTORNEYS
1973-1983



ADMISSION TO THE BAR

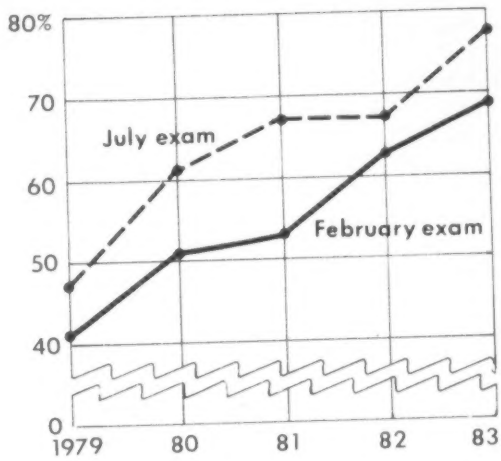
Lawyers are admitted to the bar of New Jersey only after taking a bar examination. The New Jersey examination is given in February and July to coincide with the national administration of the Multistate Bar Examination. The essay examination is prepared and graded by the Board of Bar Examiners and administered by the Clerk of the Supreme Court serving in his capacity as Secretary to the Board and his staff.

Performance on the bar examinations has continued to improve over the 1979 results that were the poorest since 1962. The February passing rate increased from 63% in 1982 to 69% in 1983. The July rate went from 67% in 1982 to 78% in 1983.

Passing rates for summer examinations have normally been higher because the majority of law students graduate in June and more individuals who were unsuccessful on a prior bar examination take the winter examination. The likelihood of passing declines the more often the examination is taken.

New Jersey law school graduates continue to perform better on the bar examination than those educated in other jurisdictions.

BAR EXAMINATION
PASSAGE RATE



Each candidate for admission to the bar has to pass both the Multistate Bar Examination and the New Jersey essay questions. The essay questions were shortened and the design for the questions has been more varied than in the past.

TRIAL ATTORNEY CERTIFICATION

The goals of the trial attorney certification program are to improve the quality of trial advocacy and to inform the consumer about those members of the bar who have achieved a certain level of skill, knowledge, and experience in trial representation.

The Board, appointed in 1979, developed program regulations and began accepting applications in late 1980. A total of 677 attorneys have been found to be eligible to take the separate criminal and civil examinations, based on their applications, in three cycles of the Board's operations. The 14-page application requests, for example, references from members of the bar who can attest to the applicant's skill as a trial advocate, detailed information on 10 cases tried, courses in trial practice or programs taken or taught within three years of the application date, and speeches, published articles and professional committee work in the trial advocacy area.

During its third cycle of operations, the Board received 130 civil and 44 criminal applications. 119 attorneys sat for the Board's civil examination in September 1983, while 43 sat for the criminal test. As a result of the Board's third cycle of operations, the Supreme Court certified 110 attorneys in the civil trial area, and 38 in the criminal field. There are now a total of 472 certified civil trial attorneys and 142 certified criminal trial attorneys.

Board certification is for seven years, after which the attorney must seek recertification.

SUPERIOR COURT, APPELLATE DIVISION

The Appellate Division of Superior Court is the intermediate appellate court. The state Constitution provides a right of appeal to the Appellate Division from final judgements of the Law and Chancery Divisions of the Superior Court. A number of statutes allow appeals as of right from county district courts, the Juvenile and Domestic Relations Court and the Tax Court. There is a right of appeal from final orders and decisions of state agencies. Interlocutory decisions of trial courts and state agencies may also be reviewed by the Appellate Division, if that court grants leave to appeal.

The appeals from all those sources are decided by 21 Appellate Division Judges. The Chief Justice chooses each Appellate Division judge from one of the trial divisions of the Superior Court. Once appointed, most Appellate Division judges stay on the Appellate Division for the rest of their careers.

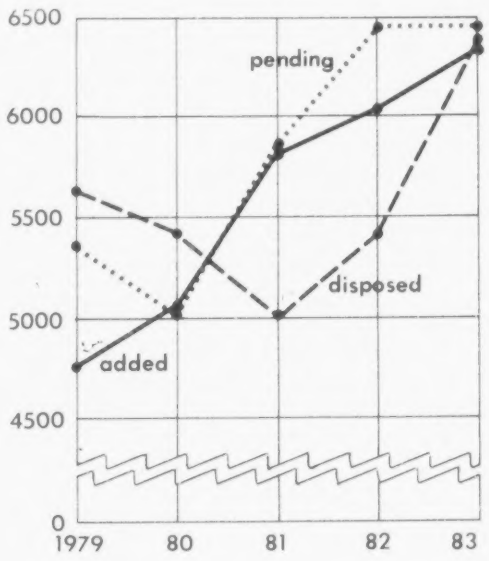
The 21 judges sit in panels, or "parts", of three judges each. Each part is administered by a presiding judge. The composition of the parts changes each year. A presiding judge for administration acts as the administrator for the entire Appellate Division; traditionally, this has been the most senior Appellate Division judge.

Each part is scheduled to sit 31 times each court year. The calendar for each sitting consists of at least 15 appeals; occasionally a part considers as many as 19 appeals at a sitting. The cases are rated by the presiding judge of each part for difficulty and then decided by either two or three judges.

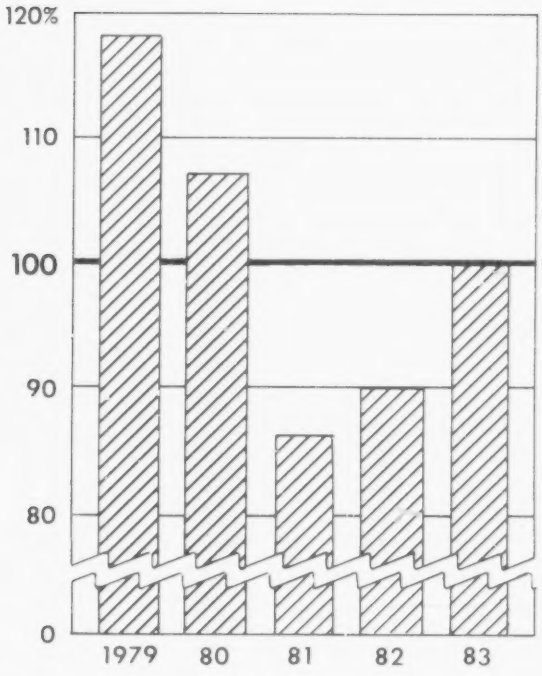
Appeals are submitted to the court without argument unless one of the parties requests argument or the court orders it. After argument, or submission without argument, the judges research, discuss and decide each case and eventually issue a written opinion.

Besides the calendared cases, the court decides thousands of motions and emergent applications. During the summer, only one part is assigned to sit each week and the court decides only criminal cases and an occasional urgent civil case.

CASELOAD TRENDS
1979-1983



CALENDAR CLEARANCE
1979-1983



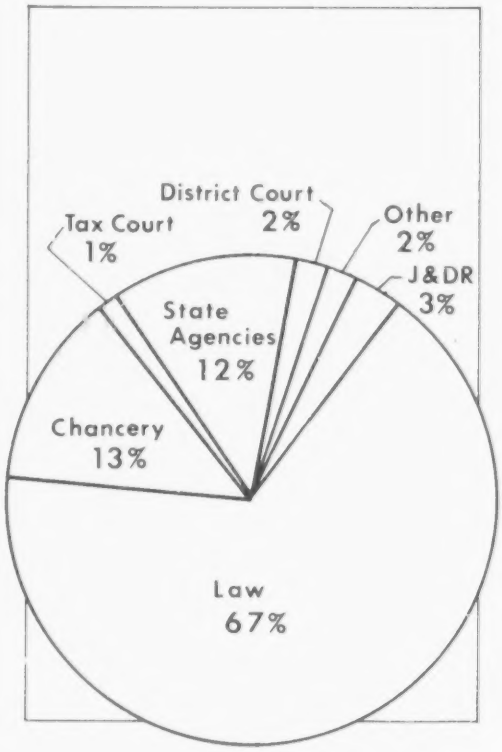
CASELOAD

At the end of the court year, the number of appeals filed, disposed and pending, all reflected increases over the previous year. Cases added totalled 6,393, up from 6,038 added the previous year. A total of 6,396 cases were disposed, an increase from 5,423. Cases pending were 6,457, compared to 6,460 the previous year.

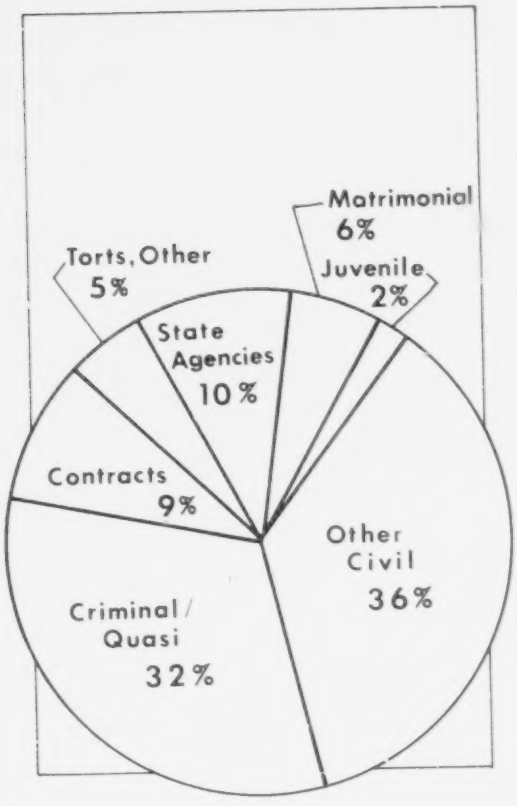
DISPOSITIONS

As in the past five years, the majority of appeals decided were from the trial divisions of Superior Court. By type, most appeals involved criminal or quasi-criminal cases. Most appeals were decided by two-judge panels (77%) and were disposed of by written or oral opinion. The overall reversal rate was 13%.

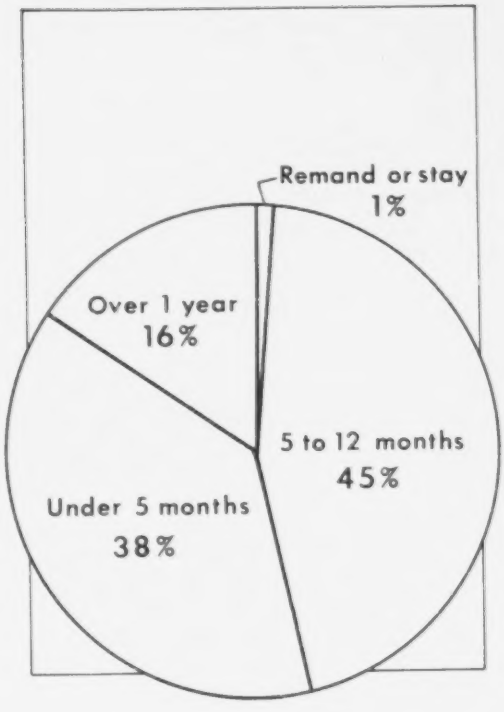
SOURCES OF APPEAL



APPEALS DECIDED
BY TYPE



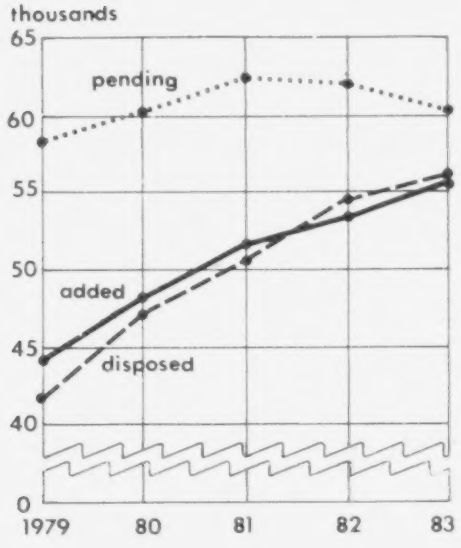
AGE OF PENDING CASES



CIVIL

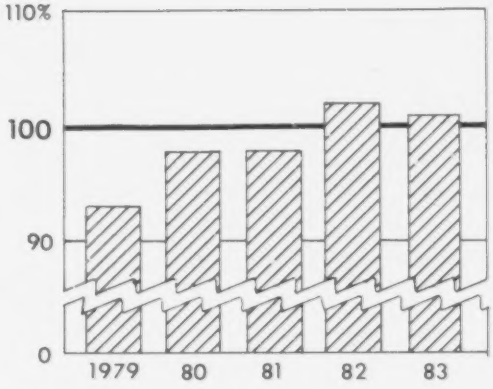
The Civil Part of the Law Division of Superior Court hears cases such as contract and tort claims exceeding $5,000 and other cases involving money judgements.

CASELOAD TRENDS
1979-1983



- cases added increased 24.5%
- dispositions increased 35.4%
- cases pending increased by 4.9%

CALENDAR CLEARANCE
1979-1983



CASES ADDED

1982	1983	% Change
53,647	55,625	3.7

MOTIONS

	1982	1983	% Change
Number	78,202	77,336	-1.1
Per Disposition	1.5	1.4	-6.7

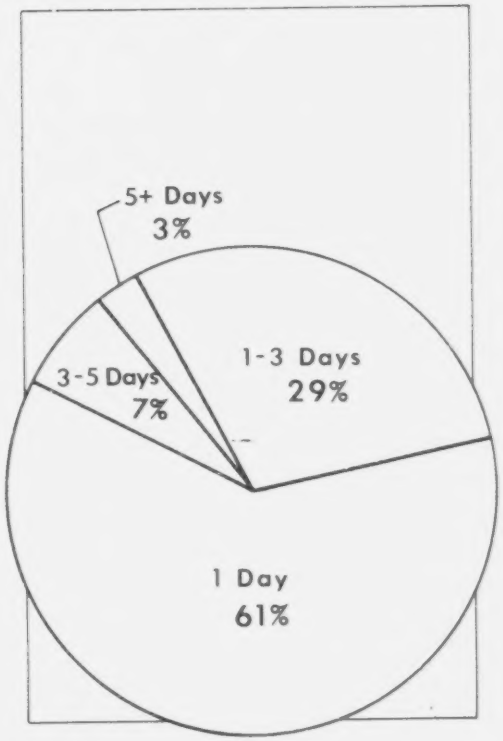
DISPOSITIONS

	1982	1983	% Change
Trials (partial & completed)	3,979	4,450	11.8
Settlements & Dismissals	49,882	50,491	1.2
Transfers to other courts	1,101	1,058	-3.9
Total	54,962	55,999	1.9

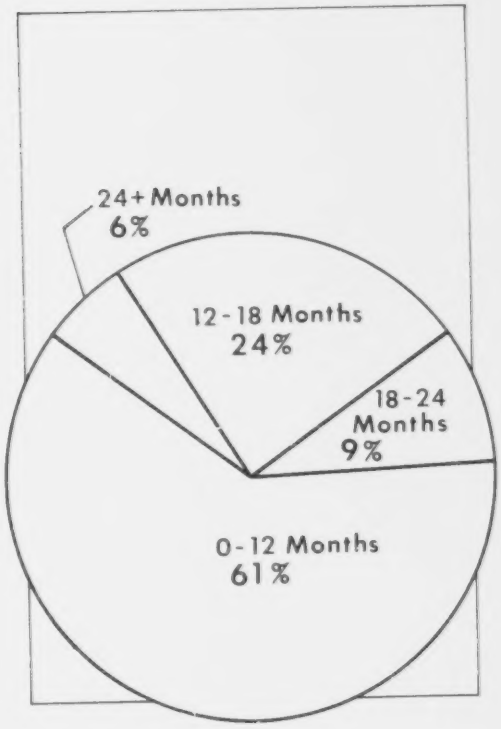
PENDING CASES

	1982	1983	% Change
Active	59,769	60,437	1.1
Inactive	995	1,200	20.6
Total	60,764	61,637	1.4

TRIAL LENGTH



AGE OF PENDING CASES

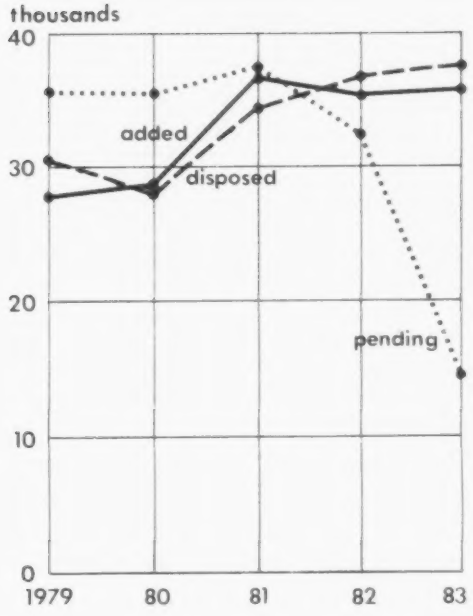


1983 TRIAL COURTS of General Jurisdiction

CRIMINAL

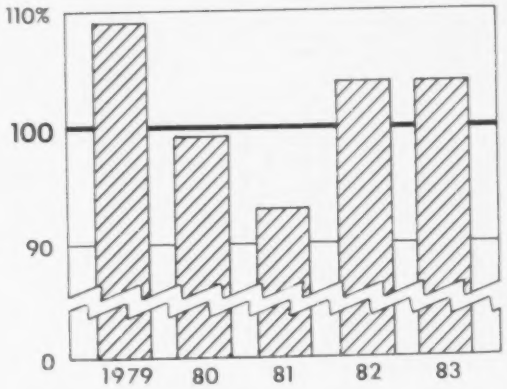
The Criminal section of Superior Court, Law Division handles all indictments and accusations in criminal cases, following initial filing of the complaint in Municipal Court.

CASELOAD TRENDS
1979-1983



- defendants have increased 28.5%
- dispositions increased 22.6%
- pending cases declined 11.5%

CALENDAR CLEARANCE
1979-1983



CASES ADDED

1982	1983	Change
35,414	35,855	1.2

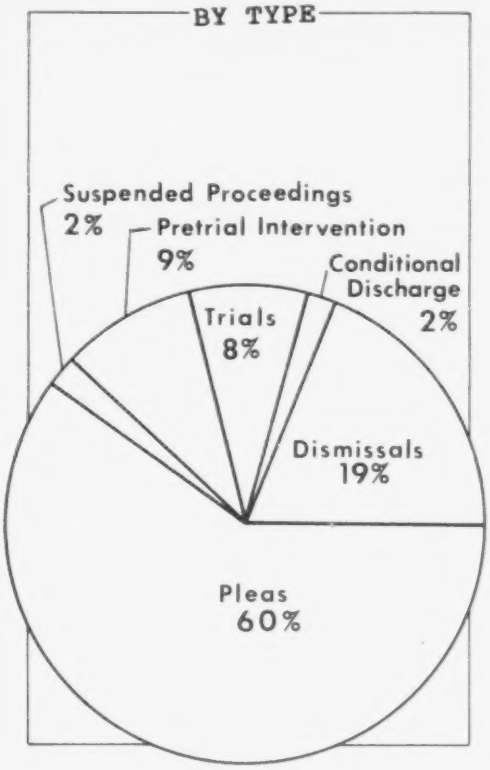
MOTIONS

	1982	1983
Contested	26,713	25,989
Uncontested	16,738	17,602
TOTAL	43,451	43,591
% Contested	61.5%	59.6%

DISPOSITIONS

1982	1983	% Change
36,962	37,178	0.6

DISPOSITIONS BY TYPE



CONVICTION RATE UPON TRIAL

Court Year	# of Conviction	Conviction Rate
1983	1,682	57.7%
1982	1,825	62.8%
1981	1,633	59.3%
1980	1,542	58.8%
1979	1,585	53.6%

HEARINGS

	1982	1983	% Change
Probation Violation	4,355	5,520	26.8
Extradition	779	803	3.1
Mun. Ct. Appeals	2,991	3,372	12.7
Pre-Trial Conference	11,230	11,896	5.9
TOTAL	19,355	21,591	11.6

SENTENCING

	1981 *	1982 *	% Change
Persons sentenced	14,855	18,315	23.3
Percent incarcerated	52%	51%	-1.0
Percent with minimum parole ineligibility terms	27%	40%	13.0

* Calendar year figures for sentencing under Title 2C.

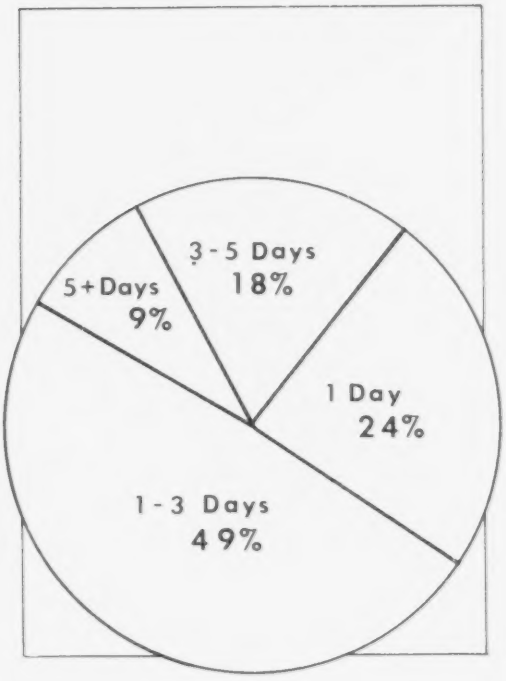
TRIALS

	1982	1983	% Change
Partial	296	291	-1.7
Completed	2,779	2,622	-5.6
Total	3,075	2,913	-5.3

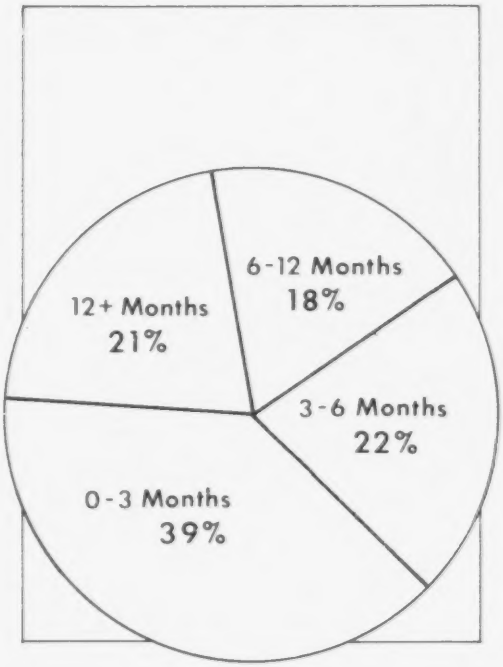
PENDING CASES

	1982	1983	% Change
Active	15,614	14,847	-4.9
Inactive	20,213	16,543	-18.2
Total	35,827	31,390	-12.4

TRIAL LENGTH



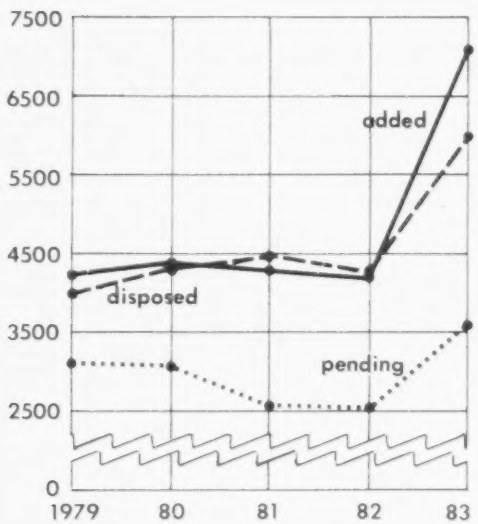
AGE OF PENDING CASES



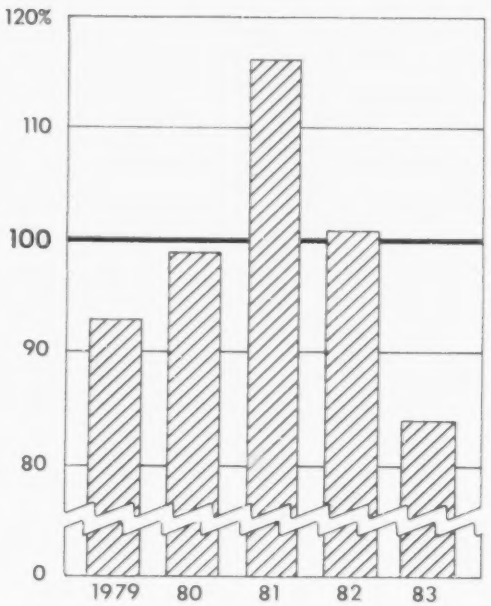
GENERAL EQUITY

The General Equity Part of the Superior Court, Chancery Division, hears cases involving relief other than, or in addition to, money. Examples include requests for injunctions forbidding certain alleged harmful conduct, specific performance of a contract, and rewriting or cancelling contracts.

CASELOAD TRENDS
1979-1983



CALENDAR CLEARANCE
1979-1983



CASES ADDED

1982	1983	% Change
4,291	7,125	66.0

- cases added increased 65.0%
- dispositions increased 49.9%
- pending cases decreased 18.1%

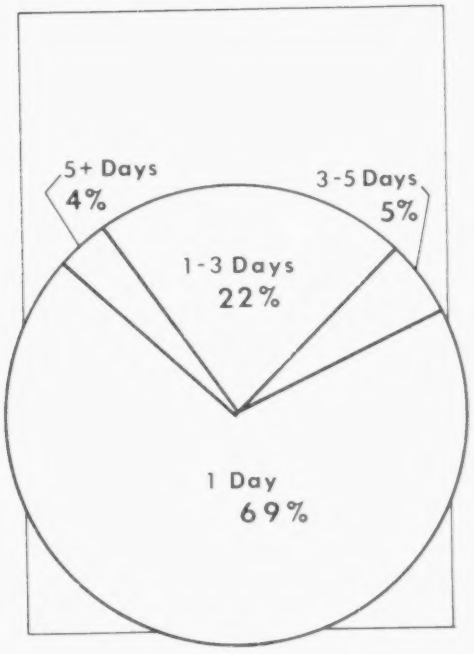
MOTIONS

	1982	1983	% Change
Number	8,952	8,004	-10
Per Disposition	2.1	1.3	-38

DISPOSITIONS

	1982	1983	% Change
Trials completed	721	867	20.2
Settlements (Prior to Trial)	1,956	2,627	34.3
Dismissals & Discontinuances	976	1,356	38.9
Transfers & Consolidations	426	947	122.3
Settled During Trial (Included Partially Tried)	262	214	-18.3
Total	4,341	6,011	38.5

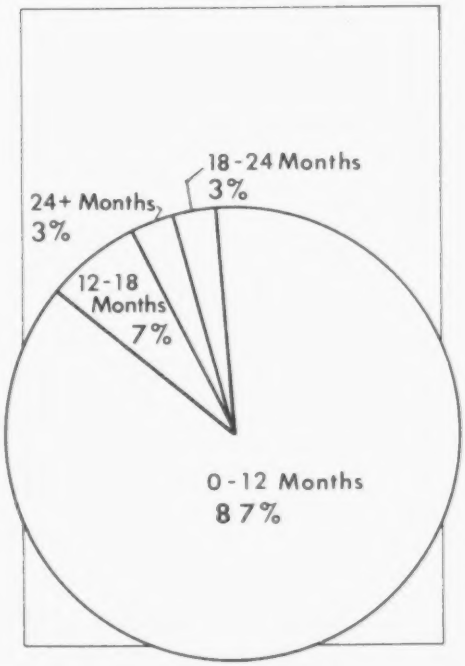
TRIAL LENGTH



PENDING CASES

	1982	1983	% Change
Active	2,375	3,400	43.2
Inactive	148	277	87.2
Total	2,523	3,677	45.7

AGE OF PENDING CASES



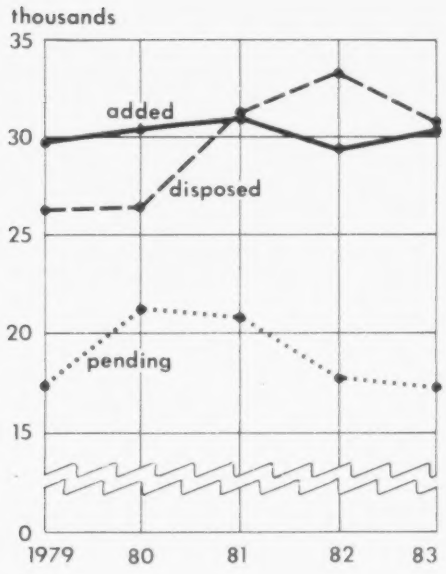
TRIALS

	1982	1983	% Change
Settled During Trial and partially tried	262	214	-18.3
Completed	721	867	20.2

MATRIMONIAL

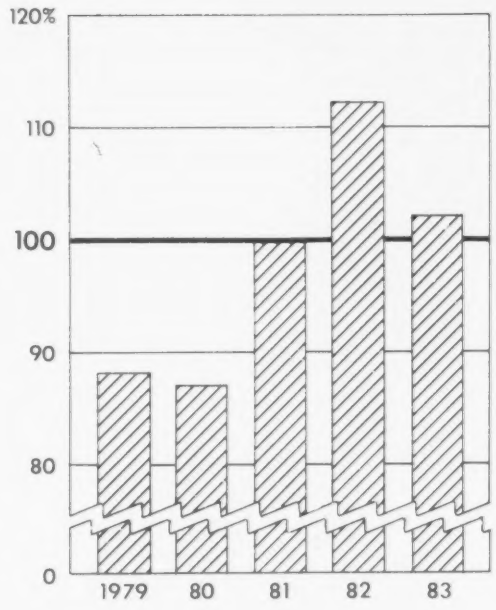
All matters related to divorce are handled by the Matrimonial Section of the Superior Court, including child custody, child support, alimony and equitable distribution of property.

CASELOAD TRENDS
1979-1983



- cases added increased 18.2%
- dispositions increased 17.6%
- pending cases decreased -0.5%

CALENDAR CLEARANCE
1979-1983



CASES ADDED

1982	1983	% Change
29,531	30,270	2.5%

MOTIONS

	1982	1983	% Change
Number	26,594	24,598	-7.5
Per Disposition	.8	.8	-

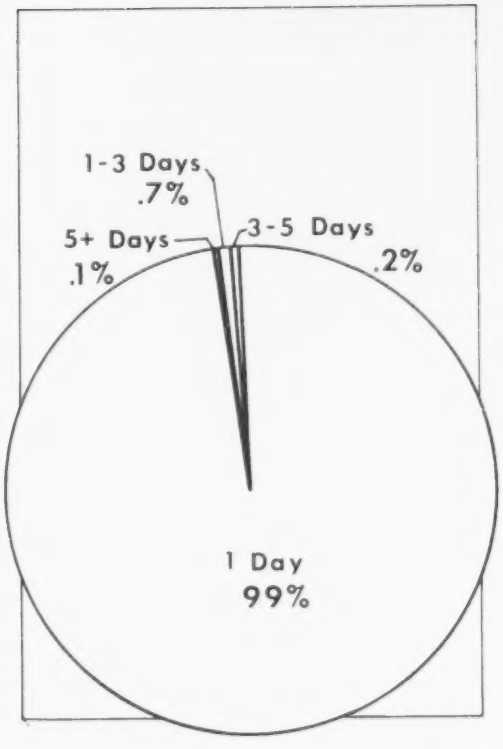
DISPOSITIONS

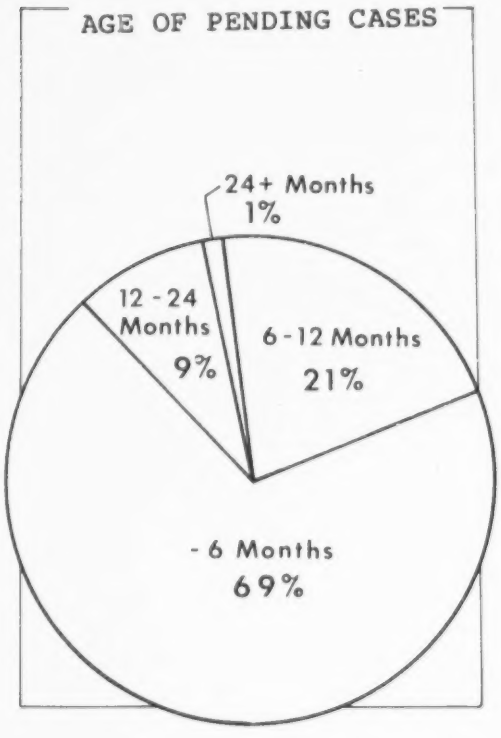
	1982	1983	% Change
Total Hearings	31,035	28,180	-9.2
Contested	12,849	11,178	-13.0
Uncontested	18,186	17,002	-6.5
Settlements	113	208	84.1
Dismissals and Transfers	1,832	2,523	37.7
Total	32,980	30,911	-6.3

PENDING CASES

	1982	1983	% Change
Active	17,498	17,151	-2.0%
Inactive	28	43	53.6%
Total	17,526	17,194	-1.9%

HEARING LENGTH



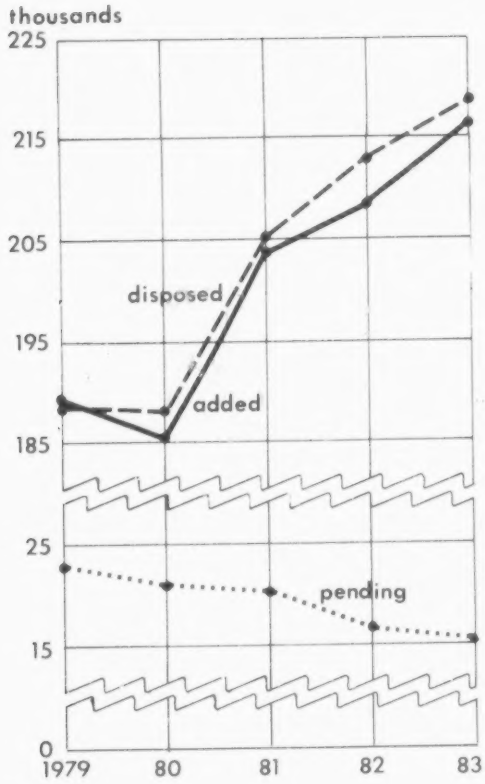


1983 TRIAL COURTS of Limited Jurisdiction

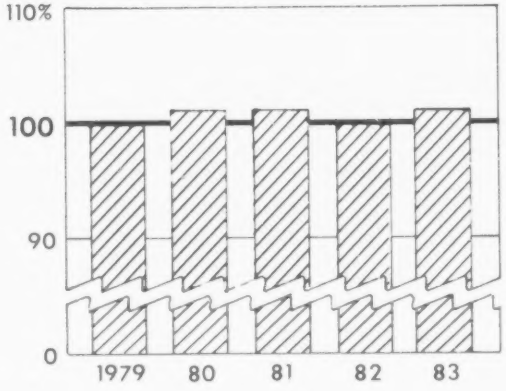
JUVENILE & DOMESTIC RELATIONS

The Juvenile and Domestic Relations Court handles complaints of juvenile delinquency, juveniles in need of supervision (JINS), non-criminal child abuse and matters filed under the Child Placement Review Act. It also deals with Domestic Relations, child support, custody, visitation and paternity matters, and complaints filed under the 1982 Prevention of Domestic Violence Act.

CASELOAD TRENDS
1979 - 1983



CALENDAR CLEARANCE



- cases added increased 5.8%
- dispositions increased 6.8%
- cases pending decreased 33.4%

CASES ADDED

	1982	1983	% Change
Delinquency	98,213	91,020	-7.3
JINS	11,596	11,461	-1.2
Domestic Relations	99,047	97,963	-1.1
Total w/o Dom. Violence	208,856	200,444	-4.0
Domestic Violence	N/A	16,442	N/A
Total with Dom. Violence	208,856	216,886	3.8

DISPOSITIONS

	1982	1983	% Change
Delinquency	101,793	92,132	-9.5
JINS	11,915	11,417	-4.2
Domestic Relations	99,326	98,407	-0.9
Total w/o Dom. Violence	213,034	201,956	-5.2
Domestic Violence	N/A	16,465	N/A
Total with Dom. Violence	213,034	218,421	2.5

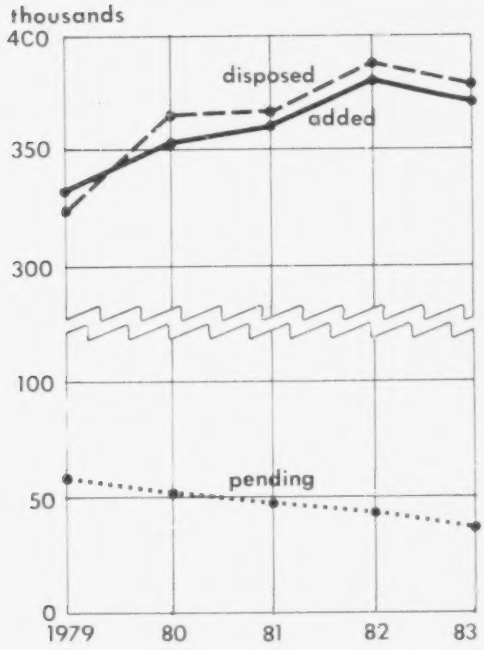
PENDING CASES

	1982	1983	% Change
Delinquency	10,242	9,130	-10.9
JINS	641	685	6.9
Domestic Relations	6,036	5,592	-7.4
Total w/o Dom. Violence	16,919	15,407	-8.9
Domestic Violence	N/A	386	N/A
Total with Dom. Violence	16,919	15,793	-6.7

COUNTY DISTRICT COURT

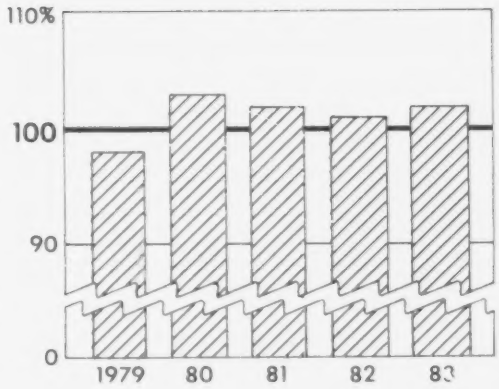
The County District Court handles contract and tort claims under $5,000, landlord/tenant disputes, and small claims matters under $1,000.

CASELOAD TRENDS
1979-1983



- cases added increased 12.0%
- dispositions increased 16.8%
- pending cases declined by 36.1%

CALENDAR CLEARANCE
1979-1983



CASES ADDED

1982	1983	% Change
380,735	371,638	-2.4

MOTIONS

	1982	1983	% Change
Number	17,993	18,956	5.4
Per Disposition	.05	.05	0

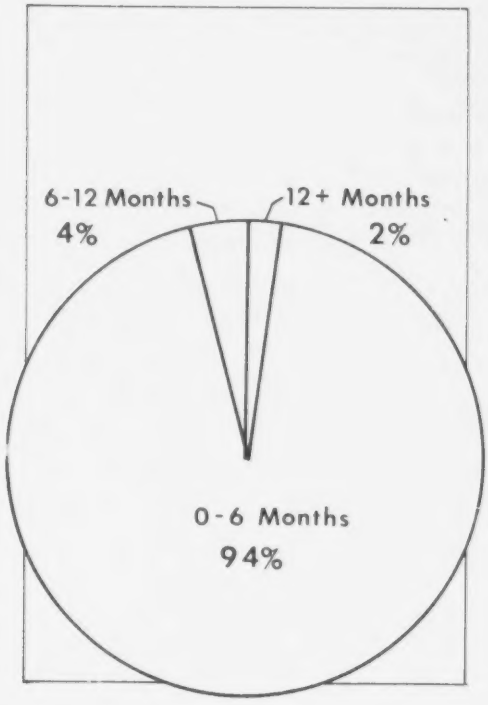
DISPOSITIONS

	1982	1983	% Change
Automobile Negligence	12,964	11,448	-11.7
Other Tort	5,146	5,265	2.3
Contract	198,216	190,907	-3.7
Small Claims	52,761	53,229	0.9
Tenancy	116,919	118,031	10.0
Total	386,006	378,880	-1.8

PENDING CASES

1982	1983	% Change
44,607	37,365	-16.2

AGE OF PENDING CASES



TAX COURT

This report is submitted to the Chief Justice of the Supreme Court of New Jersey and published as part of the Annual Report of the Administrative Director of the Courts pursuant to N.J.S.A. 2A:3A-24.

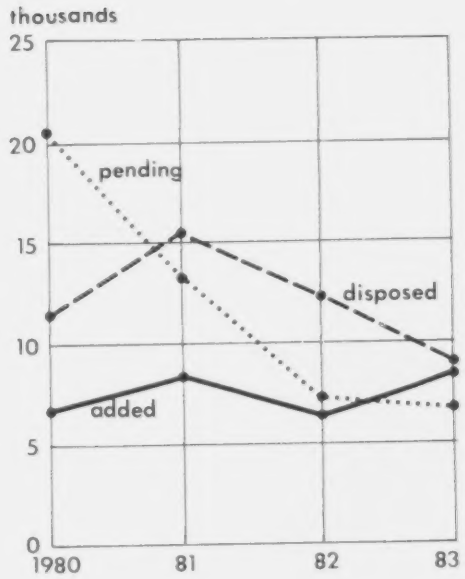
August 31, 1983 ended the court's fourth year. During the year the caseload has stabilized at 6,000-7,000 cases. The substantial backlog has been eliminated, and cases are being disposed of on a current basis.

The judges and their staff performed in a professional and experienced manner during the year. The Clerk of the Court and her staff operated effectively in the administration of the court.

THE COURT

The Tax Court of New Jersey is a trial court having statewide jurisdiction. The court was established in 1979 by the Legislature under Art. VI, §1, par. 1 of the New Jersey Constitution, as a court of limited jurisdiction to review state tax and local property tax assessments. The enabling legislation can be found in N.J.S.A. 2A:3A-1 et seq. The court reviews the actions and determinations of the assessors and the county boards of taxation with respect to local property tax matters, and of the Director of the Division of Taxation, the Director of the Division of Motor Vehicles and other state officials with respect to state taxes.

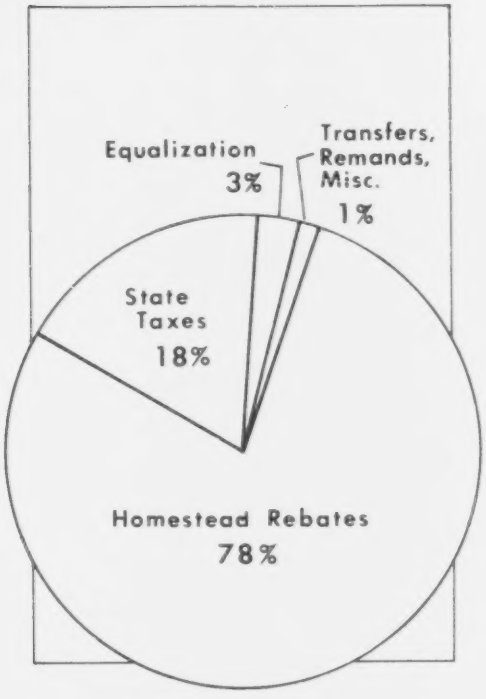
CASELOAD TRENDS
1980-1983



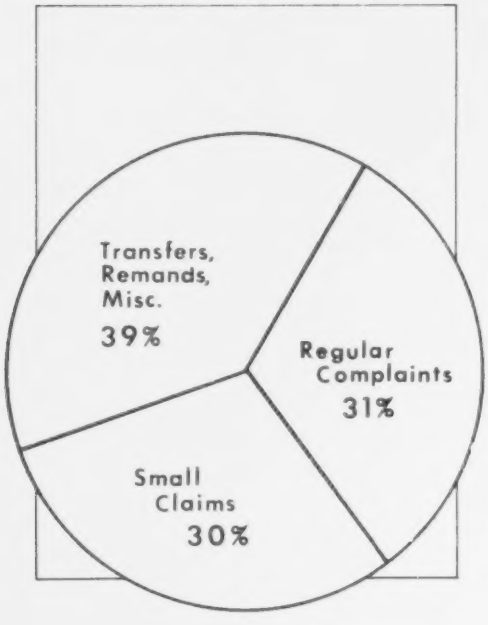
Filings, transfers and miscellaneous applications during the court year totaled 8,647, of which 86% involved local property tax cases. The court disposed of 9,003 cases and 6,955 cases were pending at the end of the year.

Cases added during the year, 8,647, represents an increase from 6,376 the previous year. Among the local property tax cases added, 31% were regular complaints. Among non-local property tax cases, 78% involved homestead rebates. The following charts indicate the types of cases added:

LOCAL PROPERTY TAX CASES FILED BY TYPE



NON-LOCAL PROPERTY TAX CASES FILED BY TYPE



DISPOSITIONS

Dispositions during the court year were 9,003, a decrease from 12,288 the previous year. Of the cases disposed, 95% were property tax cases, while 5% were other state tax cases.

METHOD OF DISPOSITION

Local Property tax cases

Settlement, withdrawal or motion	90%
Tried to completion	10%

Other tax cases

Settlement, withdrawal or motion	77%
Tried to completion	23%

PENDING CASES

Of the 6,955 cases pending at the end of the court year, 6,202 are local property tax cases, 745 involve state tax and equalization cases and 8 "other" cases. Of these 4,296 are 1982-83 cases and 1,906 are pre-1982 cases.

APPEALS FROM TAX COURT DECISIONS

During the court year, 84 Tax Court decisions were appealed to the Appellate Division of the Superior Court and the Appellate Division rendered decisions in 95 Tax Court cases. The Appellate Division took the following action:

Affirmed	41
Dismissed	31
Reversed	21
Withdrawn	1
Direct certification to Supreme Ct.	1
Total	95

The Tax Court maintains permanent courtrooms and chambers in Hackensack, Newark, New Brunswick, Trenton, Camden and Mays Landing. Tax Court cases originating in Bergen, Passaic, Hudson, Essex, Union and Middlesex Counties are heard by the judges who sit in permanent courtroom locations in northern New Jersey. Tax Court cases originating in the remaining counties are heard in permanent courtroom locations in Trenton, Camden and Mays Landing and, as required, in court houses in Morristown, Belvidere, Somerville, Freehold, Toms River and Newton.

Each judge's courtroom staff is limited to a single court clerk who, in addition to normal courtroom duties, operates the sound recording equipment. The use of a sound recording system in the Tax Court has proven to be effective and cost efficient. It enables a traveling judge to move easily from one hearing location to another, provides the means for a judge's review of court proceedings in the preparation of written opinions, and permits the prompt preparation of transcripts for appeal purposes. The quality of the transcripts has been excellent.

The judges meet monthly to discuss substantive and procedural developments in the tax field. In addition, judges attend various specialized education courses, including this year, the National Conference of State Tax Judges' seminar, attended by all of the judges.

OFFICE OF THE CLERK

The Office of the Clerk is the administrative arm of the Tax Court. A significant function of the Clerk's Office is to provide taxpayers, tax attorneys and tax administrators with information about the filing of complaints, judgments and opinions of the court and with other information regarding review of state and local tax assessments, including the furnishing of sample forms and court rules. Pamphlets explaining procedures in small claims local property tax and State tax cases were prepared and are available for distribution.

SUPREME COURT COMMITTEE ON THE TAX COURT

The Supreme Court Committee on the Tax Court is composed of judges, attorneys, tax officials at the municipal, county and state levels, representatives of taxpayers' and tax professionals' organizations and representatives of the public. Meetings were held during the court year to discuss the work of the Tax Court and procedures to be followed in proceedings before the court. Discussions in depth identified problem areas and led to suggested solutions that might ne effected by court rule.

The committee's review of the Tax Court Rules resulted in recommended changes to simplify and clarify procedures under the rules. The rule changes recommended by the committee were adopted by the Supreme Court.

Since no other such forum exists in the State of New Jersey, the Supreme Court Committee on the Tax Court affords a unique opportunity for taxpayers, those who represent taxpayers and those who administer and review tax laws to meet and discuss common problems and ways to improve the state and local tax system. These committee discussions have resulted in better understanding and coordination among the groups represented by the participants.

PUBLICATION OF OPINIONS

A key objective of the court is availability of Tax Court decisions to taxpayers, the tax bar, tax administrators and other tax professionals. Ready access to these opinions assists in tax planning, tax administration and tax enforcement by improving predictability. Summaries of opinions approved for publication are published in the New Jersey Law Journal. "Slip" opinions are produced and made available by the Administrative Office of the Courts. West Publishing Company publishes the opinions in New Jersey Tax Court Reports and in advance sheets issued in connection with these reports.

Volume 4 of New Jersey Tax Court Reports was published in the spring of 1983. This volume contains 65 state and local tax opinions. Advance sheets for Volume 5 of New Jersey Tax Court Reports were issued during the court year. It is anticipated that one bound volume of New Jersey Tax Court Reports will be published annually.

STANDARDS OF ASSESSMENT AND LEGAL PRINCIPLES UTILIZED BY THE TAX COURT

Local property tax cases generally involve a determination of value of the property for assessment purposes. Value for assessing purposes is fair market value, the price that would be paid by a willing purchaser and that a willing seller would accept, neither being compelled to buy nor sell. It is the fair market value standard that is utilized to achieve the uniformity in assessment that is required by the New Jersey Constitution. The court applies the valuation principles required by statute and the Constitution and determines fair market value by application of such of the three approaches to value as may be presented in evidence. These three approaches are: (1) the market approach, which estimates value based on comparable sales, (2) the cost approach, which estimates value based on construction cost less depreciation and (3) the income approach, which estimates value based on capitalization of the income stream produced by the property. Local property tax cases sometimes involve a claim of discrimination. In such cases the court follows the legal principles established by the Supreme Court in In re Appeals of Kents 2124 Atlantic Ave., Inc. 34 N.J. 21 (1961), and subsequent Supreme Court decisions dealing with discrimination, as well as statutory provisions granting relief from discrimination. N.J.S.A. 54:51A-6 (Chapter 123 of the Laws of 1973).

Examples of the standards of assessment and legal principles utilized by the Tax Court during the past year may be found in the 66 opinions rendered in the court year and approved for publication in New Jersey Tax Court Reports. Of these cases, 36 dealt with local property tax matters and 30 with state tax matters. The local property tax decisions included 6 cases principally involving valuation, 6 cases involving exemption claims, 2 cases dealing principally with the issue of discrimination, including the application of Chapter 123 of the Laws of 1973 (N.J.S.A. 54:51A-6), 3 cases which interpreted the provisions of the "Freeze Act" (N.J.S.A. 54:51A-8 and N.J.S.A. 54:3-26), and 2 cases dealing with farmland assessment. In addition, published opinions dealt with the requirement that taxes be paid to maintain an action in the Tax Court,

procedures regarding tax refunds and expert valuation testimony.

Significant among the local property tax cases are: Centex Homes of N.J. Inc. v. Manalapan Tp., 4 N.J. Tax 599 (Tax Ct. 1982) (direct certification to Supreme Court granted May 9, 1983, certification vacated and case remanded to the Appellate Division December 8, 1983), in which the court held unconstitutional the provision in the Municipal Land Use Law denying farmland assessment and imposing rollback tax when the preliminary subdivision approval is granted. Subsequent to this decision, the Legislature amended the Municipal Land Use Law to delete the provision held unconstitutional. Terrace View Gardens v. Dover Tp., 5 N.J. Tax 469 (Tax Ct. 1982), aff'd 5 N.J. Tax 475 (App. Div. 1983), in which the court dismissed the complaint because the taxpayer failed to furnish information to the assessor as required under N.J.S.A. 54:4-34. Tall Timbers, Inc., et al v. Vernon Tp., 5 N.J. Tax 299 (Tax Ct. 1983), in which the court held that condominium campsites were to be valued at their sale price without discounting for the estimated time that it will take the owner to dispose of unsold sites. Brancasons v. Carlstadt Boro., ___ N.J. Tax ___ (Tax Ct. 1983), in which the court dealt with the assessment of riparian lands. Sta-Seal, Inc. v. Taxation Div. Director, 5 N.J. Tax 272 (Tax Ct. 1983), Appellate Division appeal filed 4/12/83, in which the court provided a detailed explanation of the distinction between real and personal property. Lawrence Associates v. Lawrence Tp., 5 N.J. Tax 481 (Tax Ct. 1983), Appellate Division appeal filed 8/17/83, which contained a detailed analysis of the valuation procedure for a super regional shopping center.

Reported state tax decisions included 10 sales tax cases, 9 corporation business tax cases, 7 gross income tax cases and cases dealing with inheritance tax, business personal property tax and insurance retaliatory tax. Significant among the state tax cases were: Chemical Realty Corp. v. Taxation Div. Director, 5 N.J. Tax 581 (Tax Ct. 1983), Appellate Division appeal filed 7/11/83, which dealt with the taxability of out-of-state lenders under the Corporation Income Tax Act. Tamko Asphalt Products, Inc. of Maryland v. Sidney Glaser, Director of the Div. of Taxation, 5 N.J. Tax 446 (Tax Ct. 1983), Appellate Division appeal filed 8/16/83, which dealt with the liability of a Maryland manufacturing corporation for the payment of New Jersey corporation business tax on net worth based on the activities of its salesmen in New Jersey. Dow Jones & Co., Inc. v. Taxation Div. Director, 5 N.J. Tax 181 (Tax Ct. 1983), Appellate Division appeal filed 3/18/83, which dealt with sales tax on ticker tape machines and terminals. Applestein v. Taxation Div. Director, 5 N.J. Tax 73 (Tax Ct. 1982), Appellate Division appeal filed 2/7/83, a gross income tax case, held that expenses incurred in trading securities were not deductible from gross income.

RECOMMENDATIONS FOR LEGISLATIVE CHANGES

Based on the cases heard by the court, it appears that the system for review of state and local tax disputes is generally functioning satisfactorily. However, the court's experience with taxpayers, tax attorneys and tax administrators has revealed areas where the state and local tax system can be improved. Legislative changes that might be considered at this time are:

1. Modification of the provision for direct appeal to the Tax Court in those local property tax cases where the assessment exceeds $750,000 to specifically include added and omitted assessment appeals. (N.J.S.A. 54:3-21).

2. Statutory definition of "personal property" for the purpose of distinguishing such property from real property when dealing with the real property tax and the business personal property tax.

3. Whether some reduction in property tax should be afforded a taxpayer whose property is destroyed during the course of the tax year. See Galloway Tp. v. Dorflinger, 2 N.J. Tax 358 (Tax Ct. 1980).

4. Resolution of a conflict between N.J.S.A. 54:4-3.5 and N.J.S.A. 54:4-3.25 concerning property owned by veterans' organization. See Cairola-Barber Post No. 2342, Inc. v. Fort Lee, 2 N.J. Tax 262 (Tax Ct. 1981).

5. Provision specifying the party required to pay the realty transfer tax on the recording of a sheriff's sale deed. See Soldoveri v. Director, 3 N.J. Tax 392 (1981).

6. Provision for a Tax Court judgment or order for the payment of money to be entered in the civil judgment and order docket of the Clerk of the Superior Court for record search purposes, as is provided for the Chancery Division of the Superior Court (N.J.S.A. 2A:16-11), the District Court (N.J.S.A. 2A:18-32 & 36) and the Juvenile and Domestic Relations Court (N.J.S.A. 2A:4-19.1).

7. Amendment of the Homestead Tax Rebate Act (N.J.S.A. 54:4-3.80) to avoid taxpayer dissatisfaction with the rebate system resulting from the denial of rebates because of untimely filing fo rebate claims.

8. Amendment of N.J.S.A. 54:3-21.4, which provides for extension of the August 15 deadline for filing appeals to a county board of taxation in the event the tax bills are not sent to taxpayers prior to July 15, to provide that the August 15 deadline for filing direct appeals to the Tax Court is similarly extended when an extension for filing to a county board of taxation is granted.

9. Consider repealing the Corporation Income Tax Act, N.J.S.A. 54:10E-1 et seq., as duplicative of the Corporation Business Tax Act, N.J.S.A. 54:10A-1 et seq., due to overruling of Spector Motor Service, Inc. v. O'Connor, 340 U.S. 602, 71 S.Ct. 508, 95 L.Ed. 573 (1951), by Complete Auto Transit v. Brady, 430 U.S. 274, 97 S.Ct. 1076, 51 L.Ed. 326 (1977), which held that a franchise tax on interstate business is constitutionally permissible. See Tamko Asphalt Products, Inc. v. Tax. Div. Director, 5 N.J. Tax 446, 445 (Tax Ct. 1983).

10. Amend N.J.S.A. 2A:3A-1 to change the reference to the Tax Court from an "inferior court" to an "other court", so that this statute will conform to the November 7, 1978 amendment to Art. VI, § I, par. 1 of the New Jersey Constitution, N.J.S.A. 2A:3A-1 having been enacted on June 13, 1978, prior to the amendment of the Constitution.

TAX COURT OF NEW JERSEY

September 1, 1982 - August 31, 1983

A. Cases Pending and Case Dispositions:

	Local Property Tax	State Tax	Equalization etc.	Other	Total
1. Cases pending as of first day of period	6,884	411	10	6	7,311
2. New cases filed during period	4,837	736	19	0	5,592
3. Superior Ct. cases assigned to Tax Court judges	0	0	0	9	9
4. Reinstated & transferred cases including remands	113	7	0	1	121
5. Miscellaneous applications added	2,925	0	0	0	2,925
	14,759	1,154	29	16	15,958
6. Cases disposed of by trial (tried to completion)	- 814	- 103	- 0	- 0	- 917
7. Cases disposed of without trial (withdrawn or settled before or after assigned to judge, or by motion)	-4,818	- 319	-15	- 0	-5,152
8. Cases transferred to other courts	- 0	- 1	- 0	- 0	- 1
9. Miscellaneous applications	-2,925	- 0	- 0	- 0	-2,925
10. Superior Ct. cases assigned to Tax Court judges	- 0	- 0	- 0	- 8	- 8
11. Pending as of last day of period	6,202	731	14	8	6,955

B. Character of Complaints Filed:

1. Local Property Tax		
Regular Appeals		
Vacant Land	950	
Residential	797	
Farmland	58	
Commerical	962	
Industrial	367	
Multi-family Residential	1,385	
Other	284	
Correction of Error	34	
Transfers, reinstatements, remand and miscellaneous application	3,045	
		7,882
2. Cases other than Local Property Tax		
a. State Tax		
Business Personal Property	11	
Certificate of Debt	3	
Cigarette Tax	1	
Corporation Business Tax	42	
Corporation Income Tax	3	
Emergency Transportation Tax	4	
Financial Business Tax	1	
Gross Income Tax	24	
Homestead Rebate	597	
Motor Fuels Use Tax	1	
Public Utilities Gross Receipts Tax	1	
Railroad Property Tax	1	
Realty Transfer Tax	2	
Sales & Use Tax	23	
Spill Compensation Tax	11	
Transfer Inheritance Tax	9	
Miscellaneous Complaints	2	
	736	
b. Equalization Table		
County Equalization Table	3	
County Rebate	3	
Order to Revalue	1	
Table of Equalized Valuation (School Aid)	12	
	19	
c. Transfers, reinstatements, remands and Superior Court tax-related cases assigned to Tax Court judges	10	765
		8,647

C. 1. Dollar Amount of Local Property Tax Assessments Contested in Complaints Filed [1] $6,793,944.863.

2. Dollar Amount of State Tax Assessments Contested in Complaints Filed 28,877,054.

By Type of Tax

Business Personal Property Tax	$ 1,037,058.
Certificate of Debt	39,152.
Cigarette Tax	13,807.
Corporation Business Tax	18,650.894.
Corporation Income Tax	93,237.
Emergency Transportation Tax	121,554.
Financial Business Tax	57,630.
Gross Income Tax	103,262.
Homestead Rebate	*
Motor Fuels Use Tax	66,260.
Public Utilities Gross Receipts Tax	14,939.
Realty Transfer Tax	5,815.
Sales & Use Tax	1,083,744.
Spill Compensation Tax	7,470,862.
Transfer Inheritance Tax	107,854.
Miscellaneous Complaints	10,986.

D. Number of Complaints Filed In Each Filing Fee Category

	Local Property Tax	State Tax	Equalization Table	Other	Total
Regular	2,474	119	19	9	2,621
Small Claims	2,322	617	0	0	2,939
Transfers, remand, reinstatements & misc. applications	3,079	7	0	1	3,087
Total	7,875	743	19	10	8,647

1. New Jersey real property tax assessments totaled $120,514,450,565 for 1982. Assessments amounting to 5.6 per cent of this total were contested in complaints filed in the Tax Court during court year ended August 31, 1983.

* No contested tax figures shown in complaints.

E. Breakdown by county of local property tax complaint filings for years ended: 9/1/82 - 8/31/83

		8/31/80	8/31/81	8/31/82	8/31/83
1.	Atlantic	101	144	714	144
2.	Bergen	630	876	626	897
3.	Burlington	86	102	76	53
4.	Camden	105	50	65	81
5.	Cape May	23	48	8	74
6.	Cumberland	10	14	15	461
7.	Essex	1,158	807	744	647
8.	Gloucester	25	14	30	56
9.	Hudson	357	247	169	434
10.	Hunterdon	26	217	46	33
11.	Mercer	169	113	147	106
12.	Middlesex	407	503	247	383
13.	Monmouth	262	191	211	274
14.	Morris	160	246	211	289
15.	Ocean	99	82	90	166
16.	Passaic	332	226	184	273
17.	Salem	7	13	3	7
18.	Somerset	82	168	130	85
19.	Sussex	40	65	33	76
20.	Union	319	252	264	269
21.	Warren	29	25	26	29
		4,427	4,403	4,039	4,837

(SUMMARY OF TAX COURT ACTION IN REVIEW OF DIRECT APPEAL COMPLAINTS AND COUNTY TAX BOARD JUDGMENTS (LOCAL PROPERTY TAX))

(1) Tax Year Reviewed	(2) Total Assessments on Direct Appeal Complaints Reviewed by Tax Court	(3) Total Assessments as determined by County Tax Board Judgments in cases reviewed by Tax Court	(4) Total of Columns (2) & (3)	(5) Total Decrease in Assessments by Tax Court below assessments shown on Direct Appeals or County Tax Board Judgments	(6) Total Increase in Assessments by Tax Court above assessments shown on Direct Appeals or County Tax Board Judgments	(7) Total Assessments as determined by Tax Court Judgments
1973		4,905,970	4,905,970	100,000	3,058,013	7,863,983
1974		19,592,900	19,592,900	1,399,920	0	18,192,980
1975		17,990,200	17,990,200	1,725,020	15,300	16,280,480
1976		85,363,567	85,363,567	21,923,164	11,959,350	75,399,753
1977		112,780,700	112,780,700	15,623,850	6,118,700	103,275,550
1978		208,083,836	208,083,836	38,136,216	6,161,400	176,109,020
1979	27,138,900	303,271,983	330,410,883	66,155,168	19,110,328	283,366,043
1980	446,171,071	553,501,978	999,673,049	158,849,269	9,975,983	850,799,763
1981	1,285,082,446	659,896,954	1,944,979,400	421,619,168	70,152,677	1,593,512,909
1982	1,689,363,552	461,384,776	2,150,748,328	366,385,546	33,820,755	1,818,183,537
1983	571,483,510	158,298,820	729,782,330	141,289,195	24,697,750	613,190,885
1984	158,146,900	31,486,800	189,633,700	42,835,120	183,650	146,982,230
Totals	$4,177,386,379	$2,616,558,484	$6,793,944,863	$1,276,041,636	$185,253,906	$5,703,157,133

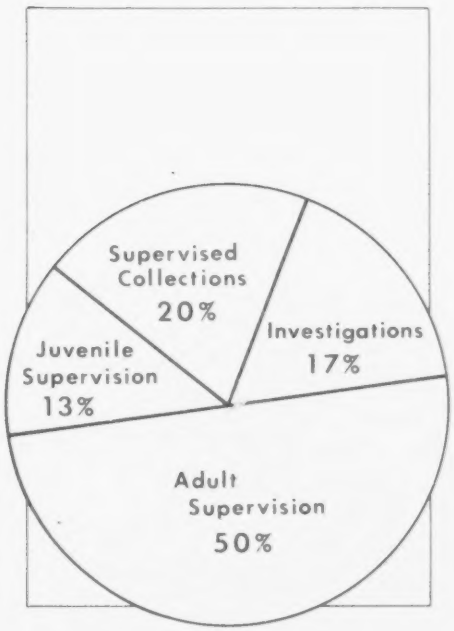
1983 PROBATION

PROBATION

Probation is a major part of the work of New Jersey courts. Organized at the county level, each of the 21 probation departments is headed by a Chief Probation Officer who reports to the Assignment Judge. Probation is responsible for adult and juvenile supervision, investigations and financial collections required by the courts.

During 1983, adult supervision cases increased by 10.2%, to 42,802, while juvenile cases remained stable at 9,449, both reflecting long term trends. Juveniles in Need of Supervision (JINS) cases remained stable at 1,111 down only 8 cases. Investigations increased by 1.5% to 77,612, and collections in child support enforcement, the largest collection program, were $158.9 million, a 9% increase over 1982. Successful discharges from probation, i.e., with no further offenses, totalled 20,837 in 1983, or 81.8% of all discharges.

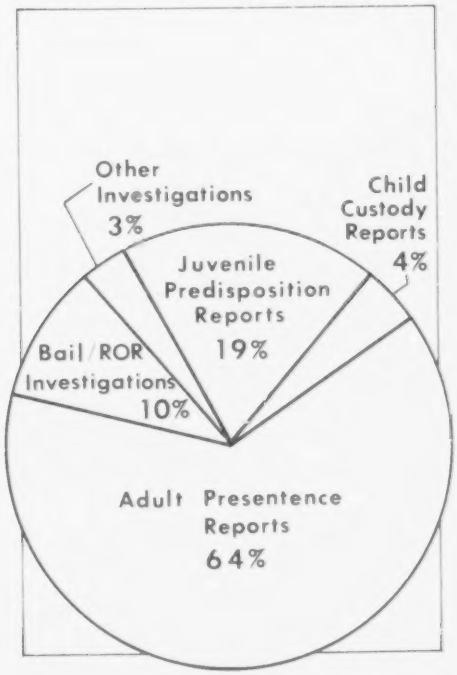
WORKLOAD BY TYPE



INVESTIGATIONS

Conducting investigations is one of the principal activities of the probation departments. Most investigations are made to provide information for adult presentence reports to assist the judge in the sentencing decision. In addition, probation personnel prepare juvenile predisposition reports and perform investigations prior to bail or other pretrial release and investigations relating to child custody. Other investigations concern grand juries, work release, juvenile detention, and financial status. The total in 1983 was 77,612 completed investigations. The workload can be divided as follows.

INVESTIGATIONS WORKLOAD



Probation departments completed 20,700 Adult Presentence Superior Court reports, a decrease of 4.2% from 1982.

It is difficult to calculate workload per probation officer in the investigation area. For county probation departments in which an officer is assigned solely to investigations, the monthly average in the state was 12.5 investigations.

INVESTIGATIONS COMPLETED
1982-1983

Long Form		1982	1983	% Change
Superior Court		21,154	20,317	- 4.0%
Municipal Court		438	383	-12.6%
	Total	21,592	20,700	- 4.2%
Short Form				
Superior Court		1,553	2,112	+36.0%
Municipal Court		1,871	1,162	-37.9%
	Total	3,424	3,274	- 4.4%
Juvenile Predispositional Reports		7,339	6,448	-12.0%
Bail/ROR Investigations		33,447	36,472	+ 9.0%
Child Custody Investigations		1,689	1,355	-19.8%
Other Investigations		8,963	9,363	+ 4.5%
	Total	76,454	77,612	+ 1.5%

ADULT SUPERVISION

The county probation departments' caseload of adult probationer supervision increased by 10.2% last year to a total of 42,802 active cases at the end of the court year. The following chart shows the increased workload.

Throughout the state, caseloads in all but a few of the counties increased; 15 of the 21 county departments supervised more Superior Court probation cases in 1983 than in 1982.

The supervision cases arising from Superior Court criminal cases, which are generally the most serious criminal matters, have increased by 51.7% since 1978.

It is difficult to determine the average statewide adult supervision caseload per probation officer. In those offices where the client supervision staff does not conduct investigations, however, the average is 140 cases, with a range from 60 to 321 cases per adult supervision officer.

ADULT SUPERVISION
1982-1983

	1982	1983	% Change
Superior Court	25,612	28,723	+12.1%
Municipal Court	10,733	12,201	+13.6%
Domestic Relations	2,508	1,826	-27.3%
County Parole	...	52	...
Total	38,853	42,802	+10.2%

JUVENILE SUPERVISION

The number of juvenile supervision cases was stable in 1983 compared to 1982. Over the last year, the number of supervision cases has declined by 66 cases.

Most of the juvenile supervision cases are Juvenile Delinquency cases. These offenders committed acts that would be criminal if committed by an adult. The remainder of the juvenile cases are called Juveniles in Need of Supervision (JINS). These cases involve actions, such as truancy or running away from home, which are offenses only because they were committed by a juvenile.

Reports on caseloads for probation officers vary widely around the state for juvenile supervision, as they do for adult supervision. The average, however, is significantly smaller for juvenile supervision. For probation officers who devote full time to supervision and perform no investigations, the average caseload is 67 cases, well under the 140 cases reported for officers with adult cases.

JUVENILE SUPERVISION
1982-1983

	1982	1983	% Change
Juvenile Delinquency	9,507	9,449	- 0.6%
JINS	1,119	1,111	- 0.7%
Total	10,626	10,560	- 0.6%

In recent years, courts and probation departments have tried to measure the accomplishments of the supervision of probationers. As a measurement of performance of the probation departments, data is now being gathered based on the manner of discharge from probation. Six categories of discharge have been devised. Of the six, two categories may be considered "successful". They are "Discharge - Completed Term" and Discharge - Other" (primarily early terminations before the original term of probation expired). Three are "unsuccessful": "Discharge - Violations of Probation"; "Discharge - New Offenses"; and, "Discharge - Absconder" (a probationer whose whereabouts are unknown). The sixth category ("Deceased") is not included in this calculation.

Clearly, the great majority of probationers successfully met their terms of probation and were not convicted of another offense while under supervision. It is important to note, however, that the categories of discharge have been set up without formal, rigorous definitions or guidelines statewide. As a result, there may be some variance among the categories from county to county. The following table shows the results of cases discharged from supervision in 1983:

RESULTS OF SUPERVISION

	Successful	Unsuccessful	Deceased	Total Discharged
Adult	16,566 (80.1%)	3,899 (18.9%)	209 (1%)	20,674
Juvenile	7,147 (85.7%)	1,127 (13.5%)	33 (.3%)	8,340
Total	20,837 (81.8%)	5,026 (17.4%)	242 (.8%)	29,014

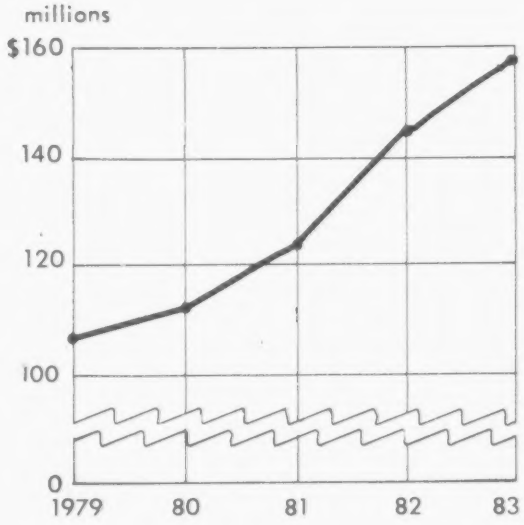
CHILD SUPPORT ENFORCEMENT

One out of every 9 children in the State of New Jersey received assistance through the New Jersey Child Support Enforcement Program (Title IV-D). Monitored by the Administrative Office of the Courts and implemented through all 21 county probation departments, the Child Support Enforcement Programs are instrumental in stabilizing the income of households where at least one parent is absent, and in turn, reducing the welfare burden for counties and the state for those families already on public assistance.

COLLECTIONS

The New Jersey Court System collected $158,927,509 in calendar 1983. This figure represents a 9 percent increase over collections in 1982. Of that figure, $40,705,340 was collected from individuals on public assistance, thereby increasing funds to the state treasury for those welfare programs. $118,222,169 was collected for families that were not receiving any form of public assistance. The caseload that produced these collections has risen 76 percent over the past five years and 7 percent since 1982. Adjudicated through the Superior Courts of New Jersey, 287,000 children received an average collection of $973.97 per case, showing a $20.13 increase per case since 1982. There was a 7 percent increase in the caseload in 1983 totaling 163,176 individual cases in the State of New Jersey.

CHILD SUPPORT COLLECTIONS



EXPENDITURES

A total of $19,365,333 was expended to run the Child Support Enforcement Programs in 1983, an increase of 6 percent over the 1982 costs. Reimbursements and incentive payments from the federal government on public assistance cases offset 95 percent of all costs to the state treasury in the respective county budgets. This offset level is a 3 percent decrease from 1982, but represents an impressive accomplishment, considering the fact that there was reduction of the federal reimbursement level from 75 percent to 70 percent for 1983.

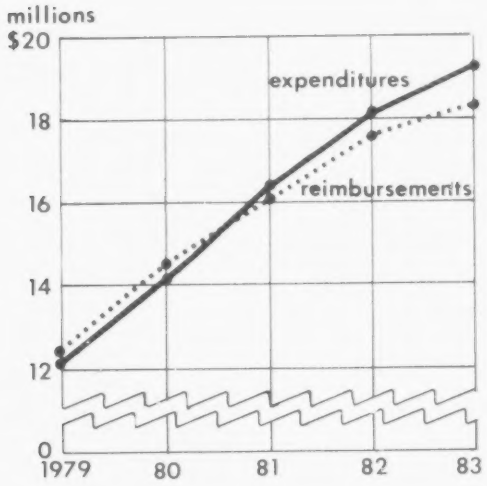
For every dollar spent on the enforcement of these programs in 1983, $8.32 was collected, an increase of 5 percent over 1982, with no significant change in enforcement staffing levels.

NEW PROGRAMS

The Federal Child Support Enforcement Program has approved a grant to the State of New Jersey to implement a statewide computer system for Child Support Enforcement efforts. This computer system will tie the county probation department, family court clerks' offices, and county welfare agencies with the State Division of Public Welfare and the Administrative Office of the Courts. The first year of the program will be spent preparing for the implementation and the conversion of the Federal Monitor II System to New Jersey Child Support Computer Departments.

The New Jersey Legislature has approved a system for the interception of a portion of a child support payors unemployment check to meet the payors' child support obligations. New procedures have been implemented in all 21 counties.

EXPENDITURES/REIMBURSEMENTS



1983 MUNICIPAL COURTS

MUNICIPAL COURTS

Municipal Courts are authorized by the legislature under N.J.S.A. 2A:8-1, and established by the local governing bodies of the State's municipalities. In 1983, there were 532 municipal courts in the State, 13 of which were joint courts serving more than one municipality.

The municipal courts are courts of limited jurisdiction. Under N.J.S.A. 2A:8-21 and 22, the municipal courts have jurisdiction over motor vehicle and traffic violations, ordinance violations, disorderly and petty disorderly persons offenses, certain Penalty Enforcement Actions (N.J.S.A. 2A:58-1, et seq.) such as fish and game violations, specified criminal offenses and probable cause hearings on indictable offenses. The territorial jurisdiction of these courts generally extends to the boundaries of the municipalities served by the joint court.

The judges are appointed by the local governing body, except in joint courts where appointment is by the Governor with the advice and consent of the State. All judges serve for a term of three years and until their successor is appointed and qualified. There is no tenure of office for municipal court judges, nor is there a mandatory retirement age, conditions of office which distinguish these judges from all others in the Judiciary.

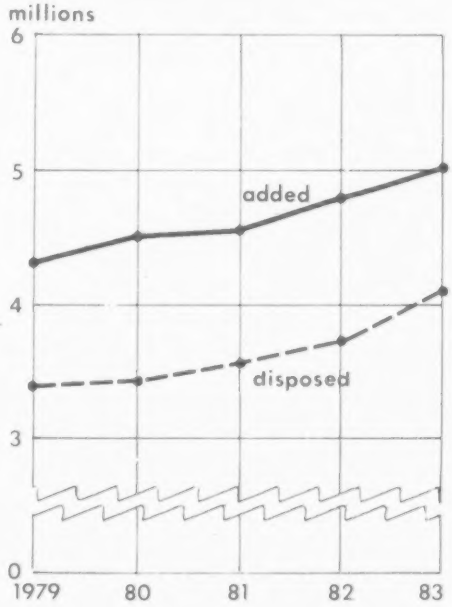
The number of municipal court judges holding office during the 1983 court year was 364, of whom 2 were non-lawyers and the remaining 362 were attorneys. This represents an increase of 5 in the total number of judges compared to 1982. The number of non-lawyer judges decreased by one from 1982.

Of the 364 judges presiding over the municipal courts, 84 judges presided over more than one court. Most of the multi-court judges presided over two or three courts; however, one judge presided over 13 courts, two judges presided over 10 courts each and another over 8 courts. In 12 municipalities, the municipal courts have more than one judge. There were 34 judges in these courts, which have the largest case loads among the municipal courts.

Very few municipal court judges devote their full-time to judicial duties. The vast majority serve part-time and maintain private law practices. Five courts had full-time judges during 1983, the same as in 1982.

Appeals from the municipal courts are taken to the Superior Court, Law Division as cases de novo. However, since the introduction of sound recording in the municipal courts, the Superior Court judge re-hears the case by review of the sound recording transcript and supplemental oral argument by the attorneys or pro se appellants. This method of re-trial on appeal has reduced Superior Court bench time.

CASELOAD TRENDS
1979-1983



The years 1979-1983 have been years of continuous increase in case filings. Dispositions have also continuously increased throughout the five year period. During this period, in 1981 and again in this court year dispositions increased at a greater rate than filings increased.

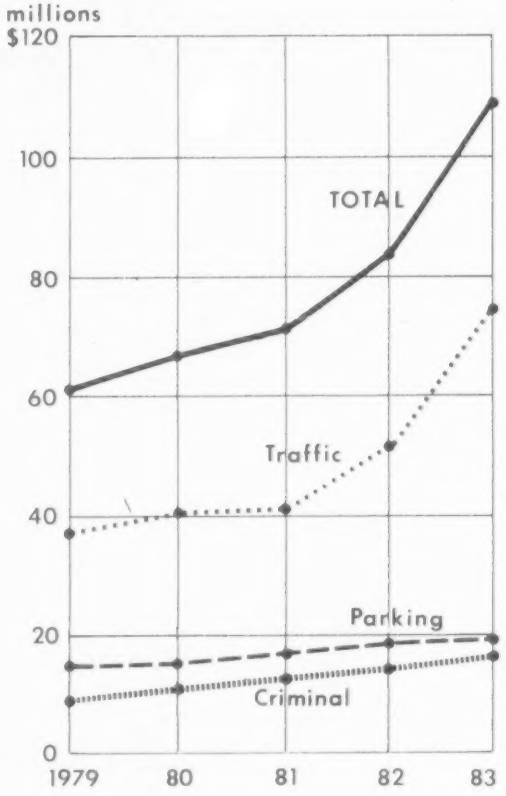
TRENDS IN REVENUES

Revenues assessed in criminal cases rose about $1.85 million from 1982 to $15,994,507 in 1983. Criminal case revenue assessments are significant, about 14.5% of total revenues, given the fact that criminal cases make up only 7.3% of dispositions. It seems clear that the increased revenue from criminal cases reflects the operation of the Code of Criminal Justice and the higher fines for disorderly persons violations authorized by the code.

The imposition of special penalties on criminal defendants, under the Violent Crimes Compensation Act, also accounts for an increase in revenues (fines, court costs and bail forfeitures imposed) generated by the municipal courts which rose to record levels in the 1983 court year. The municipal courts assessed $109,819,517 in 1983 as compared with $83,576,194 in the 1982 court year, an increase of $26,243,323 or 31.4%. Revenues had increased in the 1982 year by 18.4% over 1981. The 1982 and 1983 court years dramatically reversed the 1980 and 1981 figures which had pointed to a slowing down in the yearly increase of revenues generated.

Traffic revenues represent a large percentage of the total revenues generated by the municipal courts. Revenues from traffic increased even more dramatically in 1983 (45.2%) than in 1982 (24.3%) reversing the slow rate of increase in the 1981 court year. Parking revenues showed continued steady increase. Criminal revenues have also showed a steady increase over the past half a decade with an increase in 1983 of $1.85 million (13%) over 1982, attributable in part to increased maximum fines for disorderly persons offenses under The Code of Criminal Justice and the creation of petty disorderly persons offenses under the code.

REVENUES
1979-1983



CASELOAD *

The municipal courts handle the vast majority of minor offenses. In the 1983 court year, 5,007,322 complaints were filed. This figure exceeds the number of complaints in 1982 by 206,218 or 4.3%. Dispositions also reached a new high, with a total of 4,178,959, 12% over 1982. The table below compares the 1983 figures to those of 1982.

Complaints filed and total dispositions reached a new high, with total dispositions increasing at a significantly higher rate than complaints filed over the previous year. Pending cases declined by 22.5% as compared to 1982.

The municipal court workload contains three separate components: parking violations, traffic violations, and criminal proceedings.

CASELOAD

	1982	1983*	% Change
Complaints Filed	4,801,104	5,007,322	+ 4.3
Dispositions	3,732,006	4,178,959	+12.0
Pending	1,069,098	828,363	-22.5

* It should be noted that all the figures for 1983 (Sept. 1, 1982 - Aug. 31, 1983) are estimated due to the change in reporting requirements, effective July 1, 1983.

PARKING

Parking violations made up about 63% of all complaints filed in municipal courts in 1983. The number of violations rose by 5.5% over 1982, a larger increase than the 3.6% in 1982.

Despite the fact that understaffing problems often require that parking cases receive a lower priority than more serious offenses in the municipal courts, the figures above point to a substantial increase in productivity. Dispositions rose 14.5% in 1983 following upon a 3.9% increase in 1982. Increased productivity may be due, in part, to the increased use of computer operations in the busier municipal courts to process parking tickets.

Most dispositions in parking violations, 94% of the total, are handled by the violations bureau. The violations bureau affords an opportunity to most persons receiving tickets to pay fines without a formal court appearance.

Parking revenues rose by $1,167,424 to $19,234,372. This figure equals about 17.5% of all revenues generated by the municipal courts in the State. By comparison, parking revenues in 1982 equaled 21.6% of all revenues generated, a drop of 4.1%. Fines and costs from the disposition of most parking violations are remitted to the municipality.

PARKING VIOLATIONS

	1982	1983*	% Change
Added	2,967,588	3,132,167	+ 5.5
Disposed	2,158,302	2,470,565	+14.5
Rate of Disp.	72.7%	78.8%	+ 6.2
Revenues	$18,066,948	$19,234,372	+ 6.5
Revenues Per Disp.	$8.37	$7.79	- 6.9

TRAFFIC

Traffic complaints make up about 29% of all complaints filed in the municipal courts and about 34% of all complaints disposed of in the municipal courts.

Traffic filings increased in the past year by 4.4%. Except for 1981, filings have increased each year since 1979. The rate of dispositions has increased from 91% in 1982 to 95.8% in 1983. Revenues have increased dramatically in the last year from $51,359,832 to $74,590,278 an increase of 45.2%. This may be due to the increase in fines for moving violations that went into effect on September 1, 1982 and to recent legislation which requires that a traffic fine be paid off in 6 months or the defendant risks the loss of his driver's license.

Revenues generated by the disposition of traffic complaints total about $2 out of every $3 of municipal court assessments despite the fact that traffic complaints disposed of represent only about 1 out of every 3 cases. Fines received for violations of local traffic ordinances are remitted to the municipality. Through calendar year 1982, most fines received from state violations were remitted to the county. Beginning in calendar year 1983, the Legislature has established a revenue procedure between the county and the municipality. In any event, if the complaint is instituted by the state police or the Division of Motor Vehicles, the revenue goes to the state.

Most of the traffic cases, like parking complaints, are disposed of by the violations bureau. Of those tried in court (35% of the total dispositions), there were 397,184 cases disposed of by convictions and guilty pleas in open court and 98,996 by dismissals and findings of not guilty. About 45% of all bench time is devoted to the disposition of traffic matters. While this is a significant amount of all municipal court bench time, the court rules require court appearances in some more serious traffic offenses, such as drunk driving, even if the defendant intends to plead guilty.

TRAFFIC VIOLATIONS

	1982	1983*	% Change
Added	1,402,334	1,463,591	+ 4.4
Disposed	1,276,178	1,401,819	+ 9.8
Rate of Disp.	91.0%	95.8%	+ 4.8
Revenues	$51,359,832	$74,590,278	+45.2
Revenues Per Disp.	$40.24	$53.21	+32.2

CRIMINAL

In criminal matters, filings declined while dispositions, the rate of dispositions, revenues and revenues per disposition rose.

Dispositions included 3,959 indictable complaints adjudicated in the municipal court on waiver of indictment and jury trial. The remainder of the dispositions involved non-indictable offenses, included among them were 31,596 cases disposed of through the violations bureau. There were 12,505 conditional discharge and 141,495 convictions and guilty pleas in open court.

DISPOSITIONS BY TYPE

Adjudicated in Municipal Court on Waiver of Indictment & Jury Trial	3,959	1.3%
Through Violations Bureau	31,596	10.3%
Dismissals After Conditional Discharge	12,505	4.1%
Conviction Guilty Plea in Open Court	141,495	46.1%
Dismissed and Findings of Not Guilty	117,020	38.2%
TOTAL	306,575	100%

CRIMINAL VIOLATIONS

	1982	1983*	% Change
Added	431,182	411,564	-4.5
Disposed	297,526	306,575	+3.0
Rate of Disp.	69.0%	74.5%	+ 5.5
Revenues	$14,149,414	$15,994,507	+13.0
Revenues Per Disp.	$47.56	$52.17	+ 9.7

Of those defendants convicted in the municipal courts of criminal violations, 14,356 defendants were sentenced to jail, 11,024 were placed on probation, 20,187 received suspended sentences. As the table below shows, jail, probation and suspended sentences increased in 1983 in comparison to 1982.

SENTENCE PROFILE 1982-1983

	1982	1983 (estimated)	% Change
Jail	12,790	14,356	+12.2%
Probation	10,269	11,024	+ 7.4%
Suspended Sentence	19,697	20,187	+ 2.5%

RATES OF DISPOSITION

In the parking, traffic and criminal components, the municipal courts imposed the level of performance for 1983 as compared to 1982. The table below depicts the performance of the municipal courts in these three areas of their workload.

RATES OF DISPOSITION

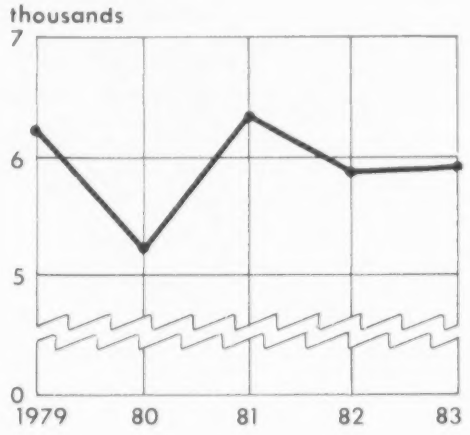
	% 1982	% 1983
Parking	72.7	78.9
Traffic	91.0	95.8
Criminal	69.0	74.5
Total	77.7	83.5

NOTICE IN LIEU OF COMPLAINT

The notice in lieu of complaint is a document generated by the court requiring the person to whom the notice is addressed to appear and discuss the particulars of a minor neighborhood or domestic dispute. The matter is discussed by the disputing parties in the presence of the judge or a person designated by the court and approved by the Assignment Judge. This conference results in the recommendation that a formal complaint should or should not be issued, and frequently leads to settlement of the dispute, making a trial unnecessary. The developing use of conferences presided over by a person designated by the court and approved by the Assignment Judge allows the municipal courts to devote its limited resources to more serious offenses.

In 1983, 5,890 notices in lieu of complaint were generated. This is a slight increase of 32 from 1982 when 5,862 such notices were generated. The court year 1981 had witnessed a dramatic increase in the use of the notice after successive years of decline. In 1981, 6,341 such notices were generated. The following chart shows the five year picture for the notice in lieu of complaint.

NOTICES IN LIEU OF COMPLAINTS



SUMMONS IN LIEU OF WARRANT

For some time, the Administrative Office of the Courts has emphasized that the summons is the favored form of process unless circumstances require the use of the warrant. This policy applies to indictable offenses as well as non-indictable offenses. The efforts to educate elements of the criminal justice system to the increased use of summons have been successful as there has been a steady increase in the percentage of summonses issued in both indictable and non-indictable matters. Effective for the 1981 court year, the rules of court governing the procedure for issuance of court process (Rule 3:3-1 and Rule 3:4-1) were amended to contain detailed guidelines on the issuance of the warrant and favor the summons as the more frequently appropriate

form of process. As evidenced by the table below, the percentage of summons increased for non-indictable matters in the 1983 court year as well as in the court years 1979-1982. The summons increased for indictable matters in the 1983 court year to 27.6% from 25.8% in the 1982 court year. The 1981 court year represented the five year high at 28.2%

The following table does not include "process" for local ordinance violations, which are not written up on the CDR-1 (Summons) or CDR-2 (Warrant) Forms. The data in the table are based on the issuance of CDR Forms for petty disorderly, persons, and indictable offenses.

SUMMONS/WARRANT INDICTABLES & NON-INDICTABLES
1979-1983

	1979	%	1980	%	1981	%	1982	%	1983 (estimated)	%
Indictable										
Summons	16,772	19.0	19,712	21.3	29,320	28.2	27,304	25.8	29,755	27.6
Warrant	71,072	81.0	72,745	78.7	74,678	71.8	78,602	74.2	77,914	72.4
Non-Indictable										
Summons	125,270	67.1	143,733	69.8	173,550	78.4	184,782	79.5	183,641	79.9
Warrant	61,490	32.9	62,043	30.2	47,829	21.6	47,572	20.5	46,244	20.1

JUDICIAL WORKLOAD

The 364 municipal court judges in 1983 spent 127,635 hours on the bench, an increase over last year of 8,432 hours. There was an increase in the total number of bench hours, bench hours per year per judge and bench hours per week per judge.

In addition, the disposition rate per bench hour increased to 7.14 cases in 1983 as compared to 1982 when it was 6.72 cases, indicated that the municipal courts were both busy and productive in 1983.

JUDICIAL BENCH HOURS

	1982	1983	% Change
Judges	359	364	+1.4
Bench Hours	119,203	127,635	+7.1
Bench hrs. per yr. per judge	332	351	+5.7
Bench hrs. per wk. per judge	6.38	6.75	+5.8

1983 VICINAGE PROFILES

VICINAGE 1 Atlantic-Cape May Counties

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	2,221	2,283	2,142			
	1982	1,968	2,030	2,299	12.9%	12.5%	-6.8%
GENERAL EQ.	1983	590	605	229			
	1982	383	461	255	54.0%	31.2%	-10.2%
CRIMINAL	1983	3,113	2,998	698			
	1982	2,662	2,335	628	16.9%	28.4%	11.1%
MATRIMONIAL	1983	1,320	1,315	821			
	1982	1,128	1,357	676	17.0%	-3.1%	21.4%
JD & JINS	1983	8,233	8,344	320			
	1982	8,989	9,239	431	-8.4%	-9.7%	-25.8%
DOMESTIC REL.	1983	6,634	6,680	413			
	1982	5,399	5,316	459	22.9%	25.7%	-10.0%
DISTRICT CT.	1983	16,652	17,061	1,766			
	1982	14,909	15,475	1,608	11.7%	10.2%	9.8%
OTHER	1983	406	[illegible]	73			
	1982	342	[illegible]	79	18.7%	25.0%	-7.6%
TOTAL WITHOUT DOM. VIOLENCE	1983	[illegible]	39,696	6,462			
	1982	35,780	36,541	6,435	9.5%	8.6%	0.4%
DOMESTIC VIOLENCE	1983	815	812	7			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	39,984	40,508	6,469			
	1982	35,780	36,541	6,435	11.7%	10.9%	0.5

HIGHLIGHTS

CASELOAD

* highest increase in the state in total cases added 9.5%, and in total cases disposed 8.6%
* highest increase in the state in cases added in Matrimonial 17% and District 11.7%
* highest increase in the state in cases disposed in District 10.2%
* highest decrease in the state in cases pending in General Equity -10.2% and JD/JINS -25.8%

PROGRAMS

* reduction in jury term of service to one week
* creation of Small Claims Mediation program using trained mediators from the Community Justice Institute and law clerks.
* establishment of referee program in the Juvenile and Domestic Relations Court

VICINAGE 2 Bergen County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	6,158	6,363	8,685			
	1982	6,417	6,884	8,920	-4.0%	-7.6%	-2.6%
GENERAL EQ.	1983	685	565	262			
	1982	352	409	141	94.6%	38.1%	85.8%
CRIMINAL	1983	1,916	2,023	1,013			
	1982	1,765	2,313	776	8.6%	-12.5%	30.5%
MATRIMONIAL	1983	3,272	3,299	1,876			
	1982	3,299	3,540	1,904	-0.8%	-6.8%	-1.5%
JD & JINS	1983	7,379	7,377	997			
	1982	8,842	8,896	1,000	-16.6%	-17.1%	-0.3%
DOMESTIC REL.	1983	3,800	3,815	213			
	1982	2,584	2,587	230	47.1%	47.5%	-7.4%
DISTRICT CT.	1983	35,981	37,117	4,066			
	1982	34,913	35,511	4,964	3.1%	4.5%	-18.1%
OTHER	1983	431	407	163			
	1982	357	349	139	20.1%	16.6%	17.3%
TOTAL WITHOUT DOM. VIOLENCE	1983	59,622	60,966	17,275			
	1982	58,529	60,489	18,074	1.9%	0.8%	-4.4%
DOMESTIC VIOLENCE	1983	923	929	10			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	60,545	61,895	17,285			
	1982	58,529	60,489	18,074	3.4%	2.3%	-4.6%

HIGHLIGHTS

CASELOAD

* second highest increase in the state in cases added in Domestic Relations 47.1%
* second highest increase in the state in cases disposed in Domestic Relations 47.5% and District Court 10.2%

PROGRAMS

* implementated one-step juror qualification and summoning system
* served as one of three counties for experiment allowing media cameras in Municipal Court proceedings
* pre-screening by community mental health centers for patients under Municipal Court 15-day orders

VICINAGE 3 Burlington County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	1,292	1,051	1,666			
	1982	1,378	1,335	1,452	-6.2%	-21.3%	14.7%
GENERAL EQ.	1983	308	216	208			
	1982	174	203	118	77.0%	6.4%	76.3%
CRIMINAL	1983	874	958	278			
	1982	1,003	1,087	390	-12.9%	-11.9%	-28.7%
MATRIMONIAL	1983	1,610	1,527	993			
	1982	1,533	1,689	910	5.0%	-9.6%	9.1%
JD & JINS	1983	4,495	4,521	236			
	1982	5,539	5,715	262	-18.9%	-20.9%	-9.9%
DOMESTIC REL.	1983	2,885	2,777	336			
	1982	2,496	2,560	228	15.6%	8.5%	47.4%
DISTRICT CT.	1983	13,140	14,018	1,606			
	1982	13,600	13,668	2,136	-3.4%	2.6%	-24.8%
OTHER	1983	270	281	83			
	1982	248	217	94	8.9%	29.5%	-11.7%
TOTAL WITHOUT DOM. VIOLENCE	1983	24,874	25,349	5,406			
	1982	25,971	26,474	5,590	-4.2%	-4.3%	-3.3%
DOMESTIC VIOLENCE	1983	978	973	45			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	25,852	26,322	5,451			
	1982	25,971	26,474	5,590	-0.5%	-0.6%	-2.3%

HIGHLIGHTS

CASELOAD

* experienced decrease in overall cases added of -4.2%
* second highest decrease in pending cases in Criminal -28.7%
* among the highest decreases in the state in pending cases District -24.8%

PROGRAMS

* planned and coordinated move into new seven-story court facility
* arbitration program in matrimonial and domestic relations enforcement matters
* experimental use of sound recording equipment in civil jury and non-jury trials

VICINAGE 4 Camden County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	4,308	4,510	4,172			
	1982	3,939	4,621	4,386	9.4%	-2.4%	-4.9%
GENERAL EQ.	1983	438	405	184			
	1982	257	258	148	70.4%	57.0%	24.3%
CRIMINAL	1983	3,463	3,695	1,075			
	1982	3,629	3,379	1,295	-4.6%	9.4%	-17.0%
MATRIMONIAL	1983	1,928	1,911	1,223			
	1982	1,882	1,890	1,206	2.4%	1.1%	1.4%
JD & JINS	1983	7,566	7,848	521			
	1982	7,997	8,196	488	-5.4%	-4.2%	6.8%
DOMESTIC REL.	1983	10,816	10,813	231			
	1982	10,429	10,433	235	3.7%	3.6%	-1.7%
DISTRICT CT.	1983	22,125	22,126	1,005			
	1982	22,984	22,964	1,018	-3.7%	-3.6%	-1.3%
OTHER	1983	204	186	66			
	1982	192	195	48	6.3%	-4.6%	37.5%
TOTAL WITHOUT DOM. VIOLENCE	1983	50,848	51,494	8,477			
	1982	51,309	51,936	8,824	-0.9%	-0.9%	-3.9%
DOMESTIC VIOLENCE	1983	1,060	1,069	35			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	51,908	52,563	8,512			
	1982	51,309	51,936	8,824	1.2%	1.2%	-3.5%

HIGHLIGHTS

CASELOAD

* among the highest in the state in cases disposed in Criminal 9.4%
* among the highest in the state in decreases in cases pending in Criminal -17%

PROGRAMS

* served as one of three counties for experiment allowing media cameras in Municipal Court proceedings
* monthly night sessions of District Court.
* computerized criminal calendar dar (PROMIS/GAVEL)
* arranged for microfilming of all closed files and records of the Surrogate's Office and District Court with the State Archives Office to reduce storage space needs

VICINAGE 5 Essex County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	8,056	8,252	6,913			
	1982	7,660	7,854	7,102	5.2%	5.1%	-2.7%
GENERAL EQ.	1983	647	530	331			
	1982	451	397	244	43.5%	33.5%	35.7%
CRIMINAL	1983	6,009	5,860	3,838			
	1982	6,199	5,967	3,957	-3.1%	-1.8%	-3.0%
MATRIMONIAL	1983	2,670	3,159	1,559			
	1982	2,716	2,996	2,023	-1.7%	5.4%	-22.9%
JD & JINS	1983	13,638	13,928	925			
	1982	13,417	13,514	1,215	1.6%	3.1%	-23.9%
DOMESTIC REL.	1983	21,766	21,930	93			
	1982	31,272	31,988	257	-30.4%	-31.4%	-63.8%
DISTRICT CT.	1983	73,936	75,596	3,929			
	1982	75,905	76,384	5,589	-2.6%	-1.0%	-29.7%
OTHER	1983	454	434	139			
	1982	366	329	118	24.0%	31.9%	17.8%
TOTAL WITHOUT DOM. VIOLENCE	1983	127,176	129,689	17,727			
	1982	137,986	139,429	20,505	-7.8%	-7.0%	-13.5%
DOMESTIC VIOLENCE	1983	3,189	3,182				
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	130,365	132,871	17,798			
	1982	137,986	139,429	20,505	-5.5%	-4.7%	-13.2%

HIGHLIGHTS

CASELOAD

* experienced decrease in overall cases added of -7.8%
* second highest increase in the state in cases disposed in Matrimonial 5.4%
* highest decrease in the state in cases pending in Matrimonial -22.9%

PROGRAMS

* created post-indictment plea, disposition conference program and expanded pre-indictment screening and plea program with special state criminal backlog reduction grant
* consolidated all Title IV-D programs under the County Office of Child Support Enforcement
* jury selection system converted from batch to on-line system

VICINAGE 6 Hudson County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	4,483	4,465	3,855			
	1982	4,409	4,509	3,879	1.7%	-1.0%	-0.6%
GENERAL EQ.	1983	557	416	278			
	1982	326	308	120	70.9%	35.1%	131.7%
CRIMINAL	1983	2,100	2,612	578			
	1982	1,991	2,881	927	5.5%	-9.3%	-37.6%
MATRIMONIAL	1983	2,262	2,402	1,214			
	1982	2,103	2,404	1,355	7.6%	-0.1%	-10.4%
JD & JINS	1983	7,281	7,340	1,721			
	1982	7,507	7,476	1,841	-3.0%	-1.8%	-6.5%
DOMESTIC REL.	1983	4,586	4,459	636			
	1982	5,332	5,570	513	-14.0%	-19.9%	24.0%
DISTRICT CT.	1983	36,985	38,420	2,769			
	1982	37,443	36,800	4,204	-1.2%	4.4%	-34.1%
OTHER	1983	173	169	55			
	1982	146	151	51	18.5%	11.9%	7.8%
TOTAL WITHOUT DOM. VIOLENCE	1983	58,427	60,283	11,106			
	1982	59,257	60,099	12,890	-1.4%	0.3%	-13.8%
DOMESTIC VIOLENCE	1983	864	856	25			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	59,291	61,139	11,131			
	1982	59,257	60,099	12,890	0.1%	1.7%	-13.6%

HIGHLIGHTS

CASELOAD

* second highest decrease in the state in cases added in Domestic Relations -14%
* highest decrease in the state in cases pending in District -34.1%

PROGRAMS

* reduction in jury term of service to one-week
* use of "contracts" to meet individual goals developed by probationers
* development of risk/need program to establish priorities in individual adult and juvenile probation cases

VICINAGE 7 Mercer County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	1,892	1,325	2,580			
	1982	1,685	1,808	1,822	12.3%	-26.7%	41.6%
GENERAL EQ.	1983	242	221	78			
	1982	137	146	56	76.6%	51.4%	39.3%
CRIMINAL	1983	2,091	1,761	1,026			
	1982	1,967	1,957	931	6.3%	-10.0%	10.2%
MATRIMONIAL	1983	1,313	1,322	978			
	1982	1,256	1,240	991	4.5%	6.6%	-1.3%
JD & JINS	1983	6,271	6,387	800			
	1982	6,417	6,464	919	-2.3%	-1.2%	-12.9%
DOMESTIC REL.	1983	4,319	4,525	310			
	1982	3,413	3,411	361	26.5%	32.7%	-14.1%
DISTRICT CT.	1983	16,442	17,214	1,531			
	1982	17,060	17,917	1,484	-3.6%	-3.9%	3.2%
OTHER	1983	326	327	81			
	1982	263	267	80	24.0%	22.5%	1.3%
TOTAL WITHOUT DOM. VIOLENCE	1983	32,896	33,082	7,384			
	1982	32,198	33,210	6,644	2.2%	-0.4%	11.1%
DOMESTIC VIOLENCE	1983	826	817	22			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	33,722	33,899	7,406			
	1982	32,198	33,210	6,644	4.7%	2.1%	11.5%

HIGHLIGHTS

CASELOAD

* among the highest increase in the state in overall cases added 2.2%
* highest increase in the state in cases disposed in Matrimonial 6.6%
* among the highest increases in the state in cases disposed in Domestic Relations 32.7%

PROGRAMS

* reduction of jury term of service to one week
* expansion of the Informal Hearing Program to include custody and visitation cases, as well as domestic disputes, landlord-tenant and small claims cases
* application for federal grant to create a program to indentify and treat juvenile drug and alcohol abusers, whose offenses are related to abuse

VICINAGE 8 Middlesex County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	6,343	6,011	8,903			
	1982	6,677	6,023	8,571	-5.0%	-0.2%	3.9%
GENERAL EQ.	1983	632	508	340			
	1982	346	310	216	82.7%	63.9%	57.4%
CRIMINAL	1983	2,772	2,957	1,440			
	1982	2,900	2,451	2,061	-4.4%	20.6%	-30.1%
MATRIMONIAL	1983	2,493	2,607	1,737			
	1982	2,501	2,482	1,851	-0.3%	5.0%	-6.2%
JD & JINS	1983	6,057	6,161	655			
	1982	6,949	6,991	759	-12.8%	-11.9%	-13.7%
DOMESTIC REL.	1983	4,926	5,000	295			
	1982	4,735	4,739	369	4.0%	5.5%	-20.1%
DISTRICT CT.	1983	24,002	23,778	2,074			
	1982	27,261	28,828	2,244	-12.0%	-17.5%	-7.6%
OTHER	1983	326	325	65			
	1982	308	298	63	5.8%	9.1%	3.2%
TOTAL WITHOUT DOM. VIOLENCE	1983	47,551	47,347	15,509			
	1982	51,677	52,122	16,134	-8.0%	-9.2%	-3.9%
DOMESTIC VIOLENCE	1983	844	849	21			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	48,395	48,196	15,530			
	1982	51,677	52,122	16,134	-6.4%	-7.5%	-3.7%

HIGHLIGHTS

CASELOAD

* experienced greatest decrease in the state in overall cases added -8%
* highest decrease in the state in cases pending in Criminal -30.1%
* among the highest in the state in increases in cases disposed in Criminal 20.6% and Matrimonial 5%

PROGRAMS

* served as pilot location for Family Court system
* sponsored countywide juvenile conference "Delinquency Prevention - A Role for Everyone" in conjunction with the County Youth Services Commission

VICINAGE 9 Monmouth County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	4,742	5,068	5,129			
	1982	4,234	4,243	5,582	12.0%	19.4%	-8.1%
GENERAL EQ.	1983	563	471	264			
	1982	287	261	178	96.2%	80.5%	48.3%
CRIMINAL	1983	2,249	2,268	678			
	1982	2,365	2,443	643	-4.9%	-7.2%	5.4%
MATRIMONIAL	1983	2,260	2,310	912			
	1982	2,083	2,712	941	8.5%	-14.8%	-3.1%
JD & JINS	1983	8,226	8,254	692			
	1982	7,753	7,656	869	6.1%	7.8%	-20.4%
DOMESTIC REL.	1983	4,125	4,023	509			
	1982	3,565	3,522	370	15.7%	14.2%	37.6%
DISTRICT CT.	1983	20,418	20,887	4,862			
	1982	22,229	22,785	5,331	-8.1%	-8.3%	-8.8%
OTHER	1983	369	366	53			
	1982	306	302	47	20.6%	21.2%	12.8%
TOTAL WITHOUT DOM. VIOLENCE	1983	42,952	43,647	13,099			
	1982	42,822	43,924	13,961	0.3%	-0.6%	-6.2%
DOMESTIC VIOLENCE	1983	661	669	0			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	43,613	44,316	13,099			
	1982	42,822	43,924	13,961	1.8%	0.9%	-6.2%

HIGHLIGHTS

CASELOAD

* highest increase in the state in cases added in JD/JINS 6.1%
* highest increases in the state in cases disposed in Civil 19.4%, General Equity 80.5%, and JD/JINS 7.8%
* second highest decrease in cases pending in Civil -8.1%

PROGRAMS

* reduction of jury term of service to one week and use of one-step juror qualification and summoning system
* experiment in service by mail in small claims District Court.
* created Central Intake system for processing of criminal complaints from 10 municipalities

VICINAGE 10 Morris-Sussex County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	2,764	2,776	3,292			
	1982	2,629	2,555	3,322	5.1%	8.7%	-0.9%
GENERAL EQ.	1983	514	408	282			
	1982	394	360	193	30.5%	13.3%	46.1%
CRIMINAL	1983	1,201	1,208	459			
	1982	1,397	1,597	486	-14.0%	-24.4%	-5.6%
MATRIMONIAL	1983	2,332	2,067	1,274			
	1982	2,106	2,863	886	10.7%	-27.8%	43.8%
JD & JINS	1983	4,384	4,360	346			
	1982	4,668	4,711	322	-6.1%	-7.5%	7.5%
DOMESTIC REL.	1983	2,163	2,127	192			
	1982	1,425	1,406	156	51.8%	51.3%	23.1%
DISTRICT CT.	1983	17,886	18,077	2,142			
	1982	18,255	18,258	2,333	- 2.0%	-1.0%	-8.2%
OTHER	1983	364	301	138			
	1982	266	287	73	36.8%	4.9%	89.0%
TOTAL WITHOUT DOM. VIOLENCE	1983	31,608	31,324	8,125			
	1982	31,140	32,037	7,771	1.5%	-2.2%	4.6%
DOMESTIC VIOLENCE	1983	870	879	21			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	32,478	32,203	8,146			
	1982	31,140	32,037	7,771	4.3%	1.0%	4.8%

HIGHLIGHTS

CASELOAD

* highest increase in the state in cases added in Domestic Relations 51.8%
* second highest increase in the state in cases added in Matrimonial 10.7%
* highest increase in the state in cases disposed in Domestic Relations 51.3%

PROGRAMS

* pilot computerization of District Court began with telephone linkups to Justice Complex in Trenton
* Title IV-D child support caseload in Sussex County computerized
* seminars conducted for Municipal Court Clerks on budget and statistical reporting

VICINAGE 11 Passaic County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	4,280	4,215	3,267			
	1982	4,297	4,012	3,225	-0.4%	5.1%	1.3%
GENERAL EQ.	1983	436	337	263			
	1982	303	276	171	43.9%	22.1%	53.8%
CRIMINAL	1983	1,932	2,476	921			
	1982	2,232	2,300	1,263	-13.4%	7.7%	-27.1%
MATRIMONIAL	1983	1,817	2,004	1,033			
	1982	1,940	2,211	1,220	-6.3%	-9.4%	-15.3%
JD & JINS	1983	7,674	7,745	532			
	1982	8,870	11,524	525	-13.5%	-32.8%	1.3%
DOMESTIC REL.	1983	6,996	7,268	913			
	1982	6,200	5,627	1,185	12.8%	29.2%	-23.0%
DISTRICT CT.	1983	26,820	26,685	2,404			
	1982	26,966	27,312	2,269	-0.5%	-2.3%	5.9%
OTHER	1983	214	203	45			
	1982	177	161	34	20.9%	26.1%	32.4%
TOTAL WITHOUT DOM. VIOLENCE	1983	50,169	50,933	9,378			
	1982	50,985	53,423	9,892	-1.6%	-4.7%	-5.2%
DOMESTIC VIOLENCE	1983	527	533	5			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	50,696	51,466	9,383			
	1982	50,985	53,423	9,892	-0.6%	-3.7%	-5.1%

HIGHLIGHTS

CASELOAD

* experienced a decrease in overall cases added of -1.6%
* second lowest in the state in cases added in Criminal -13.4% and Matrimonial -6.3%

PROGRAMS

* reduction of jury term of service to one week, and use of one-step juror qualification and summoning system
* planned and coordinated all aspects of temporary relocation of all court offices and chambers to another building to permit required asbestos removal work at the County Court House

VICINAGE 12 Union County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	3,628	3,899	4,101			
	1982	3,020	3,422	3,222	20.1%	13.9%	27.3%
GENERAL EQ.	1983	475	393	256			
	1982	229	222	184	107.4%	77.0%	39.1%
CRIMINAL	1983	1,938	2,032	785			
	1982	1,918	2,113	822	1.0%	-3.8%	-4.5%
MATRIMONIAL	1983	1,867	1,974	903			
	1982	1,925	2,208	1,009	-3.%	-10.6%	-10.5%
JD & JINS	1983	7,342	7,485	694			
	1982	7,280	7,114	838	0.9%	5.2%	-17.2%
DOMESTIC REL.	1983	7,366	7,617	434			
	1982	6,487	6,239	685	13.6%	22.1%	-36.6%
DISTRICT CT.	1983	24,555	24,589	3,473			
	1982	23,849	23,927	3,507	3.0%	2.8%	-1.0%
OTHER	1983	226	196	82			
	1982	184	201	53	22.8%	-2.5%	54.7%
TOTAL WITHOUT DOM. VIOLENCE	1983	47,397	48,185	10,728			
	1982	44,892	45,446	10,320	5.6%	6.0%	4.0%
DOMESTIC VIOLENCE	1983	1,094	1,102	25			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	48,491	49,287	10,753			
	1982	44,892	45,446	10,320	8.0%	8.5%	4.2%

HIGHLIGHTS

CASELOAD

* second highest increases in the state in overall cases added 5.6%, and overall cases disposed 6%
* highest increase in the state in cases added in Civil 20.1%
* second highest decrease in the state in cases pending in Domestic Relations -36.6%

PROGRAMS

* reduction in jury term of service to one week
* completion of computerization of jury selection process
* one of two pilot locations for Individualized Case Management Program, designed to develop specialized "tracks" for the handling of various types of civil litigation
* use of peer counseling for pretrial intervention program participants

VICINAGE 13 Somerset-Hunterdon-Warren Counties

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	1,513	1,797	1,290			
	1982	1,607	1,669	1,501	-5.9%	7.7%	-14.1%
GENERAL EQ.	1983	279	244	137			
	1982	224	251	104	24.6%	-2.8%	31.7%
CRIMINAL	1983	1,732	1,885	538			
	1982	1,524	1,978	568	13.6%	-4.7%	-5.3%
MATRIMONIAL	1983	1,720	1,791	777			
	1982	1,692	1,734	856	1.7%	3.3%	-9.2%
JD & JINS	1983	4,012	4,147	462			
	1982	4,615	4,772	591	-13.1%	-13.1%	-21.8%
DOMESTIC REL.	1983	2,556	2,571	149			
	1982	2,568	2,635	164	-0.5%	-2.4%	-9.1%
DISTRICT CT.	1983	11,918	11,998	1,169			
	1982	12,547	12,913	1,272	-5.0%	-7.1%	-8.1%
OTHER	1983	326	310	85			
	1982	246	253	70	32.5%	22.5%	21.4%
TOTAL WITHOUT DOM. VIOLENCE	1983	24,056	24,743	4,607			
	1982	25,023	26,205	5,126	-3.9%	-5.6%	-10.1%
DOMESTIC VIOLENCE	1983	832	841	15			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	24,888	25,584	4,622			
	1982	25,023	26,205	5,126	-0.5%	-2.4%	-9.8%

HIGHLIGHTS

CASELOAD

* experienced decrease in overall cases added of -3.9%
* the highest decrease in the state in cases pending civil -14.1%

PROGRAMS

* creation of separate bail unit within the Somerset County Probation Department to assist court in bail decisions and limited supervision of those released
* use of slides and videotape for juror orientation, freeing judge time
* use of custody procedures involving a Probation Officer early in the process to assist parties in resolving issues

VICINAGE 14 Ocean County

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	DISPOSED	ACTIVE PENDING
CIVIL	1983	2,249	2,429	2,130			
	1982	2,128	2,341	2,305	5.7%	3.8%	-7.6%
GENERAL EQ.	1983	380	345	149			
	1982	246	276	122	54.5%	25.0%	22.1%
CRIMINAL	1983	1,238	1,469	466			
	1982	1,031	933	49	20.1%	57.4%	851.0%
MATRIMONIAL	1983	1,585	1,565	702			
	1982	1,597	1,577	682	-0.8%	-0.8%	2.9%
JD & JINS	1983	4,064	3,876	359			
	1982	4,411	4,566	171	-7.9%	-15.1%	109.9%
DOMESTIC REL.	1983	3,584	3,555	132			
	1982	3,529	3,576	103	1.6%	-0.6%	28.2%
DISTRICT CT.	1983	14,640	14,609	2,159			
	1982	14,931	14,986	2,128	-1.9%	-2.5%	1.5%
OTHER	1983	336	338	75			
	1982	267	237	75	25.8%	42.6%	-
TOTAL WITHOUT DOM. VIOLENCE	1983	28,076	28,186	6,172			
	1982	28,140	28,492	5,635	-0.2%	-1.1%	9.5%
DOMESTIC VIOLENCE	1983	1,619	1,609	67			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	29,695	29,795	6,239			
	1982	28,140	28,492	5,635	5.5%	4.6%	10.7%

HIGHLIGHTS

CASELOAD

* highest increase in the state in cases added Criminal 20.1%
* highest increase in the state in cases disposed Criminal 57.4%

PROGRAMS

* reduction in jury term of service to one week
* continued monitoring of County Justice Complex construction and review and revision of plans
* expanded computerization in District Court and Criminal and Civil calendars

VICINAGE 15 Gloucester-Cumberland-Salem Counties

	YEAR	ADDED	DISPOSED	ACTIVE PENDING	PERCENT CHANGE ADDED	PERCENT CHANGE DISPOSED	PERCENT CHANGE ACTIVE PENDING
CIVIL	1983	1,696	1,555	2,312			
	1982	1,599	1,656	2,181	6.1%	-6.1%	6.0%
GENERAL EQ.	1983	379	347	139			
	1982	182	203	125	108.2%	70.9%	11.2%
CRIMINAL	1983	3,227	2,976	1,054			
	1982	2,831	3,228	818	14.0%	-7.8%	28.9%
MATRIMONIAL	1983	1,821	1,658	1,149			
	1982	1,770	2,077	988	2.9%	-20.2%	16.3%
JD & JINS	1983	5,859	5,776	555			
	1982	6,555	6,874	471	-10.6%	-16.0%	17.8%
DOMESTIC REL.	1983	11,441	11,247	736			
	1982	9,613	9,717	462	19.0%	15.7%	59.3%
DISTRICT CT.	1983	16,138	16,705	2,410			
	1982	17,883	18,278	3,117	-9.8%	-8.6%	-22.7%
OTHER	1983	269	282	79			
	1982	272	231	90	-1.1%	22.1%	-12.2%
TOTAL WITHOUT DOM. VIOLENCE	1983	40,830	40,546	8,434			
	1982	40,705	42,264	8,252	0.3%	-4.1%	2.2%
DOMESTIC VIOLENCE	1983	1,340	1,345	17			
	1982	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL WITH DOM. VIOLENCE	1983	42,170	41,891	8,451			
	1982	40,705	42,264	8,252	3.6%	-0.9%	2.4%

HIGHLIGHTS

CASELOAD

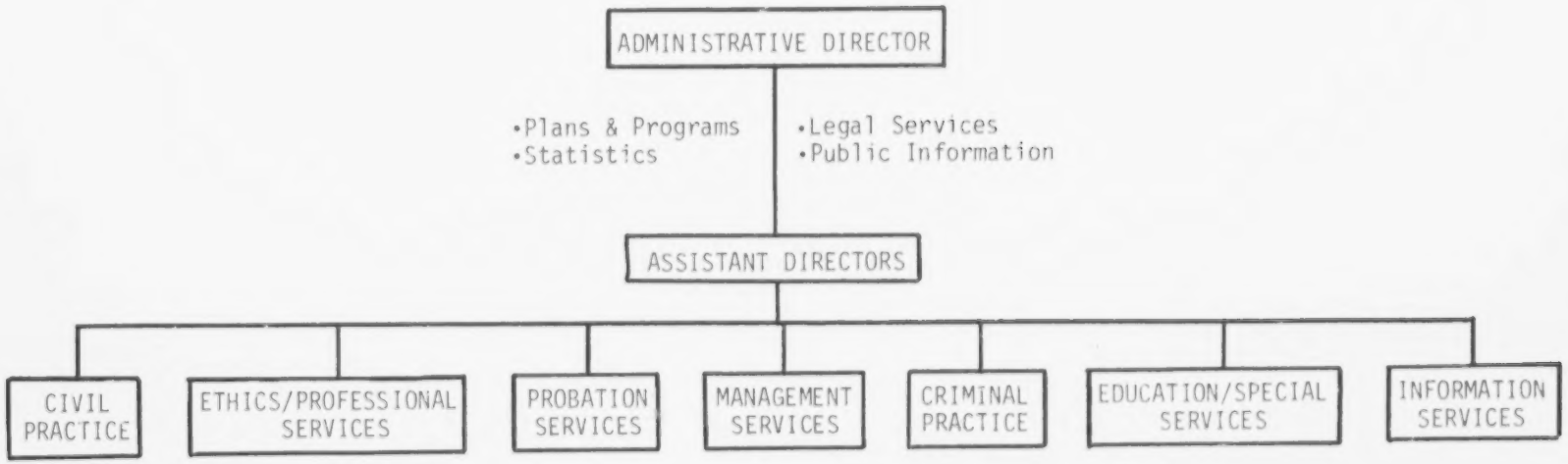
* highest increase in the state in cases added in General Equity 108%

PROGRAMS

* computerization of jury selection in Salem County
* creation of Civil Case Bar Panel Settlement Program in Cumberland County
* establishment of Juvenile Diagnostic Center in Cumberland County

1983 ADMINISTRATIVE OFFICE OF THE COURTS

ADMINISTRATIVE OFFICE OF THE COURTS



OFFICE OF THE DIRECTOR

The Office of the Administrative Director is responsible to the Chief Justice for the administration of all court operations. The Administrative Director supervises and manages the Administrative Office, and reviews the clerks' office and trial court operations around the state.

Within the Director's Office, relations with the Supreme Court, the Appellate Division, the Assignment Judges, and all other judges are coordinated. The Director's Office develops and outlines the implementation of major improvement programs in the Judiciary or in the AOC itself. The meetings of the Supreme Court Administrative Conference and of the Assignment Judges are planned and coordinated.

During the last court year, the Director's Office was involved in all of the projects described in the AOC. The particular programs that received special attention were the work of the Management Structure Committee in organizing the trial courts, the establishment of the Family Part, the Intensive Supervision Program, the development of civil case management procedures, the acceptance and implementation of the Computerization Master Plan, the continued Speedy Trial program in criminal cases, and relations with county governments.

PLANS AND PROGRAMS

The Plans and Programs Unit has responsibility for several activities relating to the trial courts and the AOC. It functions as part of the Director's Office with assignments including county government liaison, work with Trial Court Administrators (TCA's), project coordination within the AOC, overall strategy for program development, technical assistance to the trial courts on case processing and records management, and a variety of other projects.

The unit serves as staff to the County/Judiciary Liaison Committee and the County Clerks' Liaison Committee.

During the 1983 court year, the unit staff met regularly with the TCA's to discuss programs and developments that affect the trial court structure. With coordination by the unit, the TCA's specifically worked on a census of county personnel working in the courts, a district court automation program, data collection from county budgets related to the courts, the reorganization of the trial court structure from the Management Structure Committee proposal, and other projects.

Internal AOC coordination included budget strategy and planning, project reports, and some program analysis. During the 1983 court year, the staff worked with the Management Services Division to design a new format for the state budget for the Judiciary. The new format allows for much more analysis of the Judiciary's expenses, with budget categories related to the work of the courts.

Plans and Programs includes a unit on Legal Systems and Procedures. This unit is primarily responsible for technical assistance to the trial courts in the area of case processing, records management, and clerks' office procedures. It assists the trial courts in all types of cases and works closely with the Assignment Clerks, Deputy Clerks of Superior Court, and other trial court units. It also worked during 1983 on several special programs such as asbestos litigation and differentiated case management in civil cases.

Plans and Programs worked on a variety of special projects including several of the Efficiency Committee implementation reports, overall computerization strategies in the court system, project evaluation, direct filing in Superior Courts, and assignment of retired judges serving on recall.

LEGAL SERVICES

The Legal Research Unit provides legal research and counseling for the Administrative Director and the Supreme Court. Often it assists AOC divisions faced with complex or novel legal questions. The unit also serves as legislative liaison for the AOC and provides judges and judiciary support staff with information on legislative developments.

The unit performs a number of miscellaneous functions, including:

* acting as secretariat for the Committee on Opinions which determines which of thousands of written court opinions will be published, thereby becoming part of New Jersey's case law,

* coordinating the review of court rules by the Supreme Court, and rule publication,

* liaison with the Attorney General for the purpose of obtaining legal representation for judges and court employees who are sued in the course of official duties,

* registration of all group legal services plans,

* distribution of law clerk resumes and coordination of Supreme Court approval of all trial level law clerks,

* involvement in numerous administrative projects such as central criminal intake, local complaint filing, development of family court procedures, appellate reforms and the distribution of Superior Court trust fund reserve monies.

STATISTICAL SERVICES

The Statistical Services Unit collects, compiles, analyzes and reports caseload data and other statistical information on the operation of the courts. It prepares caseload statistical reports, projections of trends, assessments of the need for judges in each county of the State, and performance analyses throughout the Judiciary.

During the 1983 court year, Statistical Services implemented ICM (Individual Case Management), a civil pilot program in Burlington and Union Counties. The program fully automates the case management process, including calendaring, noticing, case questionnaires and various other statistical reports.

Also, the Unit is now able to track all Child Placement cases in the State due to complete automation of Child Placement Review data. Other projects have included: reporting of statewide jury utilization; statistics on Victims Crime Compensation Board penalties; statistical reporting on Domestic Violence cases and operation, management and programming of a new micro-computer system. Some of the Unit's publications are: The Monthly Trail Court Management Report; the Annual Report to the Director; monthly and quarterly Probation and Title IV-D Reports and the Annual Report of Municipal Court Proceedings.

CIVIL PRACTICE DIVISION

PUBLIC INFORMATION

The Public Information Office is responsible for communicating information about court policies, programs and operations. Studies have consistently shown that the public's major source of information about the courts comes from the media. The Office responds to citizen and media request for information, issues press releases and Supreme Court and Appellate Division argument schedules and opinions, coordinates the cameras in the courts program, and provides a daily clipping service of news articles on the Judiciary.

Public information publications include COURTWORKS, a quarterly newsletter for the people who work in the court system; the ANNUAL REPORT; and booklets, A CITIZEN'S GUIDE TO THE NEW JERSEY COURTS and THE NEW JERSEY SUPREME COURT, and the annual JUDICIAL PICTORIAL DIRECTORY.

The Office also provides public information assistance to the trial courts through the Assignment Judges, Trial Court Administrators and trial court staff designated as public information coordinators, and serves as staff to the Supreme Court Committee on Relations with the Media.

During the year, the Office issued 125 official press releases, coordinated the Administrative Office of the Courts co-sponsorship with the New Jersey State Bar Association of a conference on reporters and the courts, and coordinated the visit of a Canadian Judicial Delegation to New Jersey to view the cameras in the courts program.

The Civil Practice unit is responsible for the review and administration of rules and procedures in the civil courts, including Law and Chancery Divisions of Superior Court (General Equity and Matrimonial), Juvenile and Domestic Relations, County District Courts and County Surrogates' Offices.

The majority of the unit's work is in conjunction with its role as staff to several Supreme Court Committees. These Committees include:

- Civil Case Management and Procedures
- Family Court Planning
- Civil Practice
- District Court
- Service of Process
- Mental Committments
- Guardianships
- Juvenile and Domestic Relations Court
- Juvenile Restitution
- Small Claims

The unit also provides assistance to the State Child Placement Advisory Council and the Youth Services Commission.

During the year, directives were issued implementing recommendations of the Task Force on Service of Process, approved by the Supreme Court. These included management and personnel practices in the administration of service of process in the District Court, uniform procedures to be followed by all persons serving process, and uniform standards for bookkeeping and auditing.

JUVENILE AND DOMESTIC RELATIONS

In the Juvenile and Domestic Relations Court area, substantial effort was focused on the proposed creation of a Family Part of Superior Court. Staff was assigned to the Superior Court Preliminary Planning Committee and the Family Court Planning Committee in prepara-

tion for the 1983 Judicial Conference, attended by more than 500 people. The Committee's work and the Conference produced a report to the Supreme Court recommending policies, procedures and draft court rules for the proposed Family Court.

During the year, staff also produced, in conjunction with the Statistical Services Unit, the first annual report on complaints filed under the Prevention of Domestic Violence Act, as required by the statute. A training session on domestic violence cases was also conducted with the assistance of the Judicial Education unit.

MANAGEMENT SERVICES DIVISION

The Division of Management Services is reponsible for providing a variety of support services including financial operations, purchasing, property management, and staff support to the Courts and other Administrative Office units as requested. It also provides administrative support to the Clients' Security Fund.

FISCAL

The Fiscal Unit maintains responsibility for preparation of the annual Judiciary budget request, monitoring of appropriated fund expenditures, completion of Legislative Fiscal Notes, and development of varied financial projections and reports.

During the year, the cost center accounting system was refined to include further financial detail through a Project Activity Code subsystem. This is in preparation for records and data conversion from a manual to automated recordkeeping system, and to provide increasing levels of financial detail for specially-funded programs. Work was also initiated on restructuring the Judiciary budget format for FY 1985 to provide for better long-range planning and more efficient use of financial resources.

CENTRAL SERVICES

The Central Services Section, (Purchase, Property Management, Printing, and Office Services) entered the new Court Year with continued challenges and increasing responsibilities brought on by the internal reorganization of the AOC.

A survey was conducted in an effort to ensure optimum and most efficient use of space to accommodate the reorganization. In the field (7) new chambers were planned, organized, and occupied. Another study was conducted which resulted in the initiation of a computerized property asset inventory system. All equipment in the Justice Complex and 50% of field equipment has been tagged for identification. A shelving survey was made to determine the adequacy of bracing and support and approximately 10% of telephone installations were deleted to reduce cost.

During the year, the Print Shop produced 18,300,000 impressions, a 25% increase over the previous year. A new automated offset printing system was obtained to replace outdated equipment, thus reducing backlogs and ensuring expeditious processing of printing requests. The Office Services Section, responsible for mail, local messenger service, collection of printing materials and distribution of office supplies, initiated studies on the use of various computerized addressograph machines and stockroom computerization.

TRUSTS AND SPECIAL FUNDS

The Trusts and Special Funds Section has custodial responsibility for funds in excess of $89 million. The Trust Fund acounts for $75.6 million, which represents the monies paid into court pending resolution of litigation involving Condemnation Procedures, Tax Foreclosures, Chancery, and Matrimonial matters. The Special Funds Section accounts for the remaining $13.4 million, which represents funds for Federal Grants and the Child Support and Paternity Program (Title IV-D).

During the year, the Trust Fund Unit has continued working with the Attorney General's office, as well as an outside auditing firm, on plans for distributing from the Trust Fund a large portion of the excess reserve.

INFORMATION SERVICES DIVISION

This new division was created to supervise existing court computerized system and implement the Judicial Computer Master Plan over the next decade.

The division includes the judicial information services staff and equipment, previously under Management Services, and is headed by a new Assistant Director who had been responsible for the computerization of the Maryland state court system.

During the year, the Judicial Master Plan, prepared by the National Center for State Courts, was approved by the Supreme Court and agreement was reached with executive branch information services officials on its various components. The Plan was presented publicly and supported by the Chief Justice and the Governor.

Working closely with Treasury's Data Center, the Division prepared a Request for Proposal for purchase of a large mainframe computer scheduled to be in operation in mid-1985, a keystone of the Master Plan. Treasury's Data Center will serve as a staging area for system development until the Judicial Data Center is fully operational.

A comprehensive office automation strategy involving word processing, electronic mail, strategically placed personal computers, a graphics package, and full interaction between and among local and remote terminals was completed and approved for implementation as funds become available.

During the year, major cooperative efforts were also begun with eight counties in District Court, Juvenile and Domestic Relations and Municipal Court - traffic violations.

Technical staff has been expanded and is working closely with counterparts in various counties in systems and communications development. Major cooperative work is underway with Middlesex County on Juvenile and Domestic Relations; Bergen, Morris and Essex Counties on District Court; Burlington and Union Counties on civil case processing; and the City of New Brunswick on traffic/parking adjudication systems.

PROBATION SERVICES DIVISION

Probation Services oversees the work of the 21 county probation departments. It is responsible for the operations of the Child Support Enforcement Programming, training, collective bargaining, research, technical assistance and the Interstate Compact for the supervison of adults and juveniles on probation. It directly administers the experimental Intensive Supervision

Program, and coordinates the community service sentencing program.

The Division conducts regular meetings of Chief Probation Officers, serves as liaison with other state and local agencies, and reviews and records outside employment by probation officers.

TRAINING

A total of 1,166 people received a total of 18,300 hours of training during the year on a variety of topics. As a special project, a series of one-day workshops were conducted on substance abuse and training sessions were given for members of Juvenile Conference Committees. Training staff and a committee of JCC coordinators also planned and presented the first statewide conference of JCC members, which was attended by 350 people. Future training programs will involve data processing techniques.

COMMUNITY SERVICE

Probation Services is responsible for coordination of the Community Service Sentence Program, alternative sentencing requiring a certain amount of service to public or non-profit agencies throughout the counties, and for overseeing the distribution of State budget appropriations to counties for existing and new community service programs. Probation Departments are responsible for screening potential participants in the program and making recommendations to judges.

In coordinating the Community Service Program, staff is responsible for a variety of activities including holding administrative meetings for the program directors, publishing a quarterly newsletter, Community Service UPDATE, and providing technical assistance for the programs. Offenders serving community service increased during the year, from 5,276 to 8,180.

MANAGEMENT AND RESEARCH

In the area of probation management improvement, continued to work with selected counties on two programs, objectives based management, in conjunction with Rutgers University and funded by the National Institute for Corrections, and a model case management system, also funded by the National Institute.

A uniform method of determining probation costs in each of the 21 counties is being developed with a committee of Chief Probation Officers. In the past, budget format in the counties has varied, making comparisons of cost components such as staff, workload impossible.

In another research area, staff is developing a reliable procedure for screening incoming juveniles for psychological problems. Testing has been conducted in Bergen County. The goal is a screening process that can be administered in a short period of time to determine whether referral for psychological or psychiatric evaluation is warranted.

VOLUNTEERS IN PROBATION

The unit recruits, trains and assigns volunteers for Juvenile Conference Committees and the Volunteers in Probation (VIP) program.

The VIP program secures the service of citizens to supplement the work of the professional probation staff. Volunteers provide diverse services; i.e., group counselling, family counselling, tutoring, transportation, recreation, office work, etc. In the 1983 court year, approximately 1,299 people were involved in VIP.

CRIMINAL PRACTICE DIVISION

The Criminal Practice Division is responsible for the review and administration of rules and procedures in the criminal courts, including the Criminal Division of the Superior Court and the Municipal Courts. The Criminal Practice Division consists of the Criminal Court Services Unit, the Pre-Trial Services Unit and the Municipal Court Services Unit.

The Division provides staff support to the following committees:

- Statewide Speedy Trial Coordinating Committee
- PROMIS/GAVEL Implementation Committee
- Criminal Practice Committee
- Judges Committee on Capital Causes
- Model Jury Criminal Charge Committee
- Municipal Court Committee
- Municipal Court Task Force
- Criminal Disposition Commission
- Conference of Presiding Judges, Criminal
- Conference of Case Managers, Criminal
- Committee on Sentencing

CRIMINAL RESTRUCTURING

In its continuing effort to use scarce resources more efficiently the Judiciary began planning for a major restructuring effort of the criminal court support staff during the 1982-1983 court year. Major Supreme Court Committees had suggested a restructuring to eliminate some of the fragmentation and duplication which have plagued the current system. At the heart of the initiative is the requirement that all of the fragmented court support units involved with case processing should organizationally be housed under one roof and directed by a single executive. The initiative also envisions the development of a cadre of professionals, called case supervisors, who would be responsible for all court support aspects of a case, including Bail, PTI, Pre-sentence, calendaring, scheduling, and record-keeping. This verticalized approach not only provides needed accountability, but also reduces the duplication of work which occurs when cases move through multiple support units.

PROPORTIONALITY REVIEW

The Criminal Court Services Unit also developed a system to track all homicides. This task was made necessary by the Death Penalty legislation which requires the Supreme Court to conduct proportionality reviews on death sentences. The unit also sent representatives to the National Center for State Courts' Proportionality Review Project which is drafting procedures for helping Supreme Courts conduct their mandated review.

SENTENCING RESEARCH

The Criminal Court Services Unit continued to collect data on all sentences rendered in the Superior Court. The data is used to prepare reports, track the effects of legislation and assist in preparing future prison bedspace needs. The Criminal Court Services section provides monthly (and year-end), as well as special projects, reports to the Criminal Disposition Commission and other Legislative and Executive Branch agencies. One example of such use of the data this year was the assistance this data gave to a team of criminal justice experts formulating projected future prison bedspace needs for the Governor's Office. The data was also used for tracking the effect of mandatory sentencing legislation (e.g. the Graves Bill).

PROMIS/GAVEL IMPLEMENTATION

During 1983 the PROMIS/GAVEL Advisory Committee, a joint committee comprised of members from the Judiciary, the Division, and the Prosecutors, was inaugurated for the purpose of jointly setting policy relevant to the development, installation, operation and maintenance of each PROMIS/GAVEL system.

PRETRIAL SERVICES

The Pretrial Services Unit coordinates the various bail, pretrial intervention, and dispute resolution units throughout the 21 counties. During the court year, this unit developed a system for monitoring populations in the various county jails, which has been useful in addressing the problems created by recent severe jail overcrowding, and provided assistance to counties in developing 10% cash bail programs.

The unit also supervises the TASC (Treatment Alternatives to Street Crime) Project, a federally funded program providing intensive drug and alcohol rehabilitation for selected defendants. The Pretrial Services Unit also staffs the Supreme Court Committee on Complementary Dispute Resolution Programs.

MUNICIPAL COURT

The greatest challenge to the Municipal Court system during the year was the dramatic increase in the number of Driving While Intoxicated (DWI) cases pending, as a result of increased enforcement and legal challenges raised about the validity of the Breathalyzer tests as evidence.

In response, several steps were taken to assist the courts: the AOC has applied for a federal grant to run pilot programs in DWI backlog reduction; information was provided to local court officials on the appropriate procedures for requesting emergency municipal budget appropriations to deal with the backlog; and special DWI caseload reports were collected and made available to the Assignment Judges to identify the courts with the most severe backlog problems.

Management studies were completed for the Camden Municipal Court and begun for the New Brunswick Municipal Court, as part of the ongoing management study of the state's ten largest municipal courts. Studies of Paterson and Newark have already been completed. The program identifies problems and recommends solutions in areas such as backlog reduction, calendaring, and overall operating efficiency.

The Municipal Court Manual was revised and updated during the year, the first revision since 1977. It was distributed to all judges in looseleaf-binder format to allow for easy update in the future.

Experiments with the use of credit cards to pay fines and fees continued and a plea agreement experiment was begun in three municipal courts.

EDUCATION AND SPECIAL SERVICES DIVISION

The Special Services unit is responsible for judicial education and training, court reporting services, jury utilization and management, and a new program providing technical assistance to the trial courts on support systems and procedures, and library services.

Special Services also provided staff to the following Supreme Court Committees: Committee on Jury Utilization and Management, Sound Recording Services Committee, Judicial Labor Relations and the Advisory Committee on Computerization.

JUROR UTILIZATION AND MANAGEMENT

The Juror Utilization and Management Office provides technical assistance to the county jury managers concerning the qualification, summoning, selecting, and utilization of jurors. The unit recommends statewide policies to the Supreme Court and monitors compliance with established policies. The unit also provides training to new jury staff at the county level. During the year, staff of the unit issued a revised statewide manual on the selection of petit jurors. The manual governs all aspects of selection and provides specific guidance on how to accomplish each stage of jury selection, both manually and by computerization.

Staff of the unit also drafted legislation to implement the recommendations for improvement made by the Juror Utilization and Management Task Force, including increasing the daily juror fee, eliminating all exemptions from jury service, and modernizing selection procedures.

Through the efforts of this unit, all 21 counties are using telephone call-in systems. Individuals who have been summoned for jury service may call the courthouse the day before and a taped message will advise whether they need to report. This enables judiciary staff to call off individuals if a trial, originally scheduled to begin, is cancelled. This avoids needless juror trips to the courthouse.

Most importantly, the Juror Utilization and Management Office has overseen the gradual reduction in terms of service, statewide. By the end of January 1984, all 21 counties will have reduced terms of service to one week or less. Previously, several counties had terms of service of as much as four weeks. This reduction has greatly reduced the inconvenience to those who are summoned for jury service and has helped to reduce wasted juror time.

COURT REPORTING SERVICES

Court Reporting Services is responsible for administration and supervision of a reliable system of daily court reporter services to cover proceedings in the Superior Court, and other proceedings as required by the Supreme Court or the Administrative Director. Its responsibilities include a system for control of timely filing by court reporters of transcripts of trial court proceedings ordered for use on appeal to the Superior Court, Appellate Division.

SOUND RECORDING SERVICES

Sound Recording Services provides recording equipment and technical advice to Matrimonial, Tax, County District, Juvenile and Domestic Relations, and Municipal Courts. Field staff inspects court facilities, approves sound recording equipment purchases and installation at the municipal court level, supervises transcript production and appeal processing, and provides individual on-site training and assistance when necessary.

OFFICE OF LIBRARY SERVICES

The Office of Library Services provides professional law library services to the Justices of the Supreme Court, the judges of the Appellate and Chancery Divisions of Superior Court, the Tax Court, and the staff of the Administrative Office of the Courts. This totals 60 libraries at 21 locations around the State. The office is also responsible for distribution of court reports throughout the state and the home library program in which 154 judges participate.

JUDICIAL EDUCATION AND TRAINING

Judicial Education and Training is responsible for providing education programs for all new judges and court support personnel. The unit also provides continuing education for judges and court support personnel with emphasis on highly specialized areas of the law, new developments in the law and management training.

Judicial Education activities during the court year included the annual three-day residential Judicial College, which offered 22 courses to all upper court judges, and a two-day residential Orientation Seminar for 40 new municipal court judges. In addition, there were seminars for judges and court support personnel on Municipal Court Practice, Domestic Violence, Capital Cases, Family Court Practice, Time Management, Court Administration and Management Training.

Participation in out-of-state programs serves as a complement to in-state programs. Seventy-three judges and staff attended various national educational institutions including the National Judicial College, National College of Juvenile Justice, American Academy of Judicial Education, Institute for Court Management, National Council of Juvenile and Family Court Judges, American Institute of Real Estate Appraisers, American Law Institute, and the Institute of Judicial Administration.

Additional service to the judges and court support staff is provided by publication of numerous procedural and substantive manuals, and memoranda related to recent legal-judicial developments. The audio cassette library has been expanded to include virtually all educational programs. Lectures and presentations are sound recorded or videotaped and made available on a loan basis.

ETHICS AND PROFESSIONAL SERVICES DIVISION

The Division of Ethics and Professional Services (DEPS) is responsible for functions relating to judicial ethics, professional ethics and unathorized practice of law and, for most of the 1983 court year, supervision of the lawyer disciplinary and fee arbitration systems throughout the State.

Effective January, 1983, the Supreme Court ordered an annual fee assessment from all practicing attorneys to support the lawyer discipline and fee arbitration functions, and the budgets for these activities were separated from all other Division activities. The Court also announced its decision to establish a new Office of Attorney Ethics, reporting to the Court. Toward the end of the court year, a Director of the new Office of Attorney Ethics was appointed by the Court and all lawyer discipline and fee arbitration functions were taken over by that office.

The Division takes any emergent action that may be necessary on a statewide basis to protect the public interest. Usually such action is in the nature of an application to the Supreme Court for temporary suspension of an attorney as the result of a criminal conviction, a misappropriation of clients' funds or a mental or physical disability. A total of 18 applications for temporary suspensions of an attorney were approved by the Supreme Court during the year. One judge who is already temporarily removed as a judge, was temporarily suspended as an attorney, pending appeal of a criminal conviction.

The ethics and fee arbitration systems begin at the local level where a District Ethics Committee and a Fee Arbitration Committee operate in sixteen geographic districts. The Committees consist of volunteer lawyers and public members, all of whom are appointed by the Supreme Court. They receive and investigate all complaints in their district of lawyer misconduct or excessive fees. DEPS supervises the operation of the ethics committees and provides them with some investigative and prosecutorial assistance as well as administrative and auditing assistance.

The Division also renders administrative agency advice and supervises the twelve Fee Arbitration Committees which serve clients and lawyers alike with a fast, simple and cost-free way to resolve disputes over the reasonableness of the fee charged by an attorney.

The job of monitoring and assisting ethics and fee committees has grown considerably over the last seven years. In 1978 there were 898 ethics complaints and 434 fee disputes filed with the district ethics and fee arbitration committees. At that time there were 19,000 practicing attorneys in New Jersey. In calendar year 1982, there were 1,325 ethics complaints filed and 713 new fee disputes. However, attorney population had increased to 23,500.

DISCIPLINARY REVIEW BOARD

In addition, the Division serves the Supreme Court's Disciplinary Review Board (DRB) which was created in 1978 as a statewide appellate body to supervise the ethics system across the State by monitoring the determinations reached by the 16 district ethics committees; it hears oral argument on presentments for public discipline of members of the bar from the various ethics committees and makes recommendations to the Court on the discipline to be imposed; it reviews appeals from decisions to dismiss by the ethics committees and, in a more limited fashion, from fees awarded by the fee arbitration committees; approves all private reprimands issued by the ethics committees to attorneys;

hears motions for attorneys' temporary suspension from the practice of law; and receives and considers all applications of suspended attorneys seeking reinstatement to practice.

The Division supplies both legal and administrative support for the DRB. The Division Assistant Director acts as Secretary to the DRB and a staff attorney works full-time on DRB with legal staff and often appears before the Supreme Court on arguments in disciplinary cases.

For a second year in a row, the workload of the Board increased significantly in 1982 over the level of activity in prior years. The Board disposed of a total of 312 cases in 1982 as compared to disposition of 271 cases in 1981, 224 cases in 1980, and 228 cases in 1979. Thus, since 1980, the workload of the Board has increased by nearly 40%. The greatest increase this year was seen in the number of appeals taken from decisions of the district ethics committees and reviewed by the Board. Of the 312 cases disposed of, 190, or approximately 61%, were appeals. In 1982, the Board again heard a large number of presentments, although the number decreased slightly from the 1981 level. A total of 40 presentments were decided by the Board in 1982.

UNAUTHORIZED PRACTICE OF LAW COMMITTEE

To help insure that legal services are performed by qualified practitioners, the Supreme Court Unauthorized Practice of Law Committee (UPLC) entertains complaints concerning the practice of law by unlicensed persons. The Committee also renders advisory opinions which are published as guidance to the bar.

ADVISORY COMMITTEE ON JUDICIAL CONDUCT

Complaints from citizens who feel that judges have engaged in unethical or improper conduct are considered by the Advisory Committee on Judicial Conduct (ACJC). The ACJC is appointed by the Supreme Court and is comprised of retired Supreme Court Justices, practicing attorneys, and public members.

The Committee investigates and reviews complaints alleging unethical or unprofessional conduct on the part of members of the Judiciary and dismisses same where no improper conduct is discerned. The Committee may dismiss a matter with a private admonition if it finds that the conduct, although improper, was minor in nature and not likely to reoccur. The Committee holds formal hearings in matters where there is a substantial indication of improper activity by a judge and, if misconduct is established, it reports such findings to the Supreme Court by way of a Presentment, containing a recommendation for discipline.

During the court year, the Committee disposed of a total of 55 cases. Of these, 46 were dismissed after discussion, conference or hearing, 8 were dismissed with admonition or guidance provided to the judge by the Committee, and 8 presentments, involving three judges, were filed with the Supreme Court.

ADVISORY COMMITTEE ON PROFESSIONAL ETHICS

An attorney, uncertain whether representation of a particular client will create an ethical problem, may make an inquiry to the Supreme Court Advisory Committee on Professional Ethics (ACPE). The ACPE considers inquiries from bar associations as well. The Committee publishes its opinions for the guidance of the bar deciding

questions of ethics which arise in the course of practice. Once published, these opinions are binding on future practice unless revised by the Supreme Court on appeal.

The Division Assistant Director serves as Secretary to the ACPE, and the Division staff provides administrative and legal support.

CLIENTS' SECURITY FUND

Clients who feel that they have suffered out-of-pocket financial loss as a result of their attorney's dishonest conduct may make a claim to the Clients' Security Fund of the Bar of the State of New Jersey. Established as a cooperative effort between the Supreme Court and the New Jersey State Bar Association, the Fund is supported by yearly payments from members of the bar. The Fund Trustees, appointed by the Supreme Court and comprised of members of the bar and public, review claims and hold hearings.

The Fund has the authority to institute court proceedings for the appointment of a custodial receiver to take over the assets of any attorney found misusing clients' money in order to ascertain, conserve and distribute same for the benefit of injured clients.

RANDOM AUDIT PROGRAM

1983 saw the completion of the second full year of the Random Audit Program, which is also administered through DEPS and is financed by the Clients' Security Fund. The Program, which employs two full-time auditors and clerical staff involves the periodic review of business and trust account records that all attorneys are required to maintain when handling clients' funds in accordance with Supreme Court Rule. New Jersey thus became one of only three states in the nation to undertake a full-time compliance program to insure that lawyers are fully aware of and comply with stringent recordkeeping requirements imposed by the Court. The principal objective of the program is supervisory and educational, not punitive, and is designed to aid the attorney in acquiring better methods in office accounting procedures. Practitioners are randomly selected and audits are made on a county by county basis. During its second year of operation, 191 audits were conducted in 11 counties.